RESEARCH COMMITTEE A.A.O.O.

REPORTS TO

ONTARIO COMMITTEE ON TAXATION

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ONTARIO COMMITTEE ON TAXATION

GENERAL REMARKS

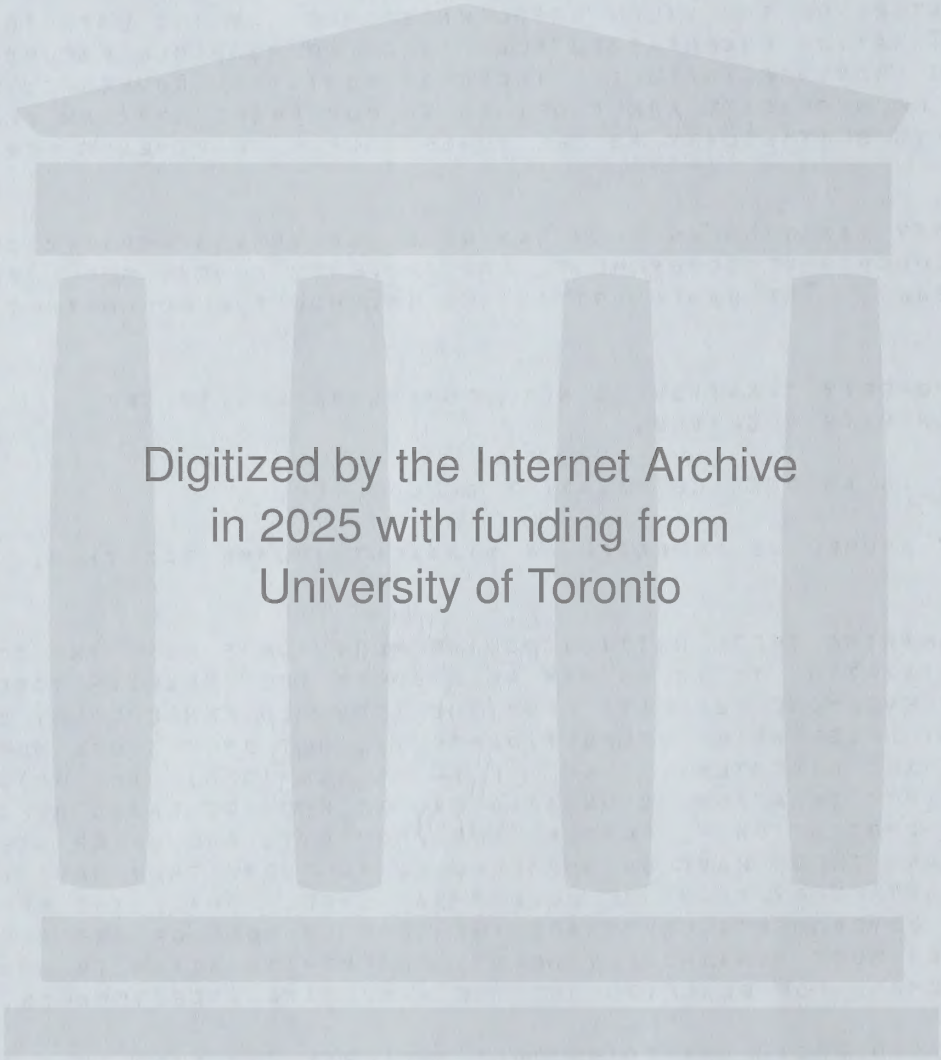
THE NATURE OF THE STUDY BEING UNDERTAKEN BY THE ONTARIO COMMITTEE ON TAXATION ENCOMPASSES ALL FIELDS OR POSSIBLE FIELDS OF REVENUE IN THE PROVINCE INCLUDING THOSE OF MUNICIPAL GOVERNMENT. AS ASSESSORS, WE OF NECESSITY ARE CONFINED TO OUR PRIME CONCERN OF PROPERTY TAXATION AND ITS SUITABILITY AS THE CHIEF SOURCE OF REVENUE FOR LOCAL GOVERNMENT.

PROPERTY TAXATION AS SUCH HAS RECEIVED INTENSE CRITICISM FROM ECONOMISTS, STUDENTS OF GOVERNMENT, AND PROPERTY OWNERS FOR LITERALLY HUNDREDS OF YEARS. THE BASIC CRITICISMS INCLUDE THE FOLLOWING:

1. PROPERTY TAXATION IS NOT COMMENSURATE WITH THE BENEFITS RECEIVED.
2. IT IS AN ONEROUS TAXATION OF SHELTER.
3. IT SHOULD BE REPLACED BY STRAIGHT INCOME TAXATION.

IN EXAMINING THESE CRITICISMS ONE MUST ADMIT FROM THE START THAT PROPERTY TAXATION IS IN NO WAY RELATED TO THE BENEFITS RECEIVED. THEORECTICALLY EVERYONE BENEFITS FROM THE SERVICES RENDERED BY LOCAL GOVERNMENT (NOT NECESSARILY PROPORTIONATELY), BUT ONLY THOSE WHO OWN PROPERTY ARE TAXED DIRECTLY TO PAY FOR THESE SERVICES. THE ORIGINAL INTENT OF PROPERTY TAXATION IN ONTARIO WAS TO PROVIDE BASIC NEEDS SUCH AS ROADS, PROTECTION TO PERSONS AND PROPERTY, AND LATER SCHOOLS. THROUGH THE YEARS THESE HAVE SNOW-BALLED UNTIL TODAY THEY HAVE COME TO INCLUDE ALMOST EVERY PHASE OF MODERN-DAY LIFE. WHILE THE FEDERAL AND PROVINCIAL GOVERNMENTS MAY SHARE THE COST OF SOME OF THE NEEDS, LOCAL GOVERNMENT MUST CONTINUALLY BOOST PROPERTY TAXATION TO MEET THEIR SHARE OF THE DEMAND FOR BENEFITS AND THE RESULTING INDEBTEDNESS.

THE SECOND BASIC CRITICISM THAT PROPERTY TAXATION IS A BURDENSOME OBLIGATION ON SHELTER STEMS SOMEWHAT FROM THE THINKING THAT ANY TAX IS A BURDEN, HOWEVER, IN VERY FEW INSTANCES HAS PROPERTY TAXATION INCREASED IN PROPERTION TO OTHER COST INCREASES IN OUR PRESENT ECONOMY. PEOPLE GENERALLY ARE SEEKING AND DEMANDING DRASTIC SOCIAL AND UTILITARIAN REFORMS. THE DEMAND IS EVER PRESENT BUT A DECIDED LACK OF DESIRE TO PAY FOR THEM IS OFTEN APPARENT. ADDITIONALLY, IT SEEMS TO HAVE BEEN FORGOTTEN THAT EXPENDITURES AT ALL GOVERNMENT LEVELS, IN THE FINAL ANALYSIS, MUST BE PAID FOR BY THE PEOPLE IN SOME FORM OR OTHER, EITHER BY TAXATION OR UPON THE EFFORT THEY EXERT IN USING THE NATURAL RESOURCES OF THE NATION. THE PROPERTY TAX IS NO MORE BURDENSOME THAN ANY OTHER TAX.



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THE REPLACEMENT OF PROPERTY TAX BY INCOME TAX APPEARS TO HAVE MANY ATTRACTIVE AND JUSTIFIABLE FEATURES. WE MAY WONDER WHY IT HAS NOT BEEN TRIED. TO SOME EXTENT IT WAS TRIED AT THE LOCAL LEVEL, PRIOR TO 1936, IN THAT LOCAL GOVERNMENT COLLECTED INCOME TAX IN ADDITION TO PROPERTY TAX, AND IN EFFECT IS STILL IN USE IN THAT GRANTS FROM HIGHER GOVERNMENT LEVELS CAN BE SAID TO BE PAID FOR, AT LEAST IN PART, FROM INCOME TAX REVENUE.

WITH THE PROPERTY TAX SUBJECT TO SO MANY CRITICAL COMPLAINTS ONE WONDERS WHY IT IS STILL WITH US. THERE ARE SEVERAL REASONS FOR THIS, MOST IMPORTANT OF WHICH ARE:

1. FROM A FISCAL STANDPOINT THE PROPERTY TAX IS IDEAL FOR LOCAL GOVERNMENT. SINCE THE TAX IS BASED UPON THE VALUE OF PROPERTY AND ASSESSORS CAN READILY ESTIMATE THE TOTAL ASSESSED VALUE WITHIN THE MUNICIPALITY, BUDGETS ARE PLANNED BASED UPON ANTICIPATED INCOME, THAT HAS BEEN DEFINITELY ESTABLISHED THROUGH MANY YEARS OF EXPERIENCE. INCOME WOULD BE A LESS STABLE AND INITIALLY A MORE DIFFICULT PRINCIPLE UPON WHICH TO BASE MUNICIPAL BUDGETING.

2. THE EQUITY OF LEVYING THE PROPERTY TAX IS BEING IMPROVED CONTINUALLY. ASSESSORS HAVE FORMED A PROVINCIAL ASSOCIATION WHICH HAS INSTITUTED A COURSE OF STUDIES THAT IS CONSTANTLY BEING IMPROVED AND EXPANDED IN AN EFFORT TO UPGRADE ASSESSMENT PROCEDURE AND PROFESSIONALIZE THE STANDARDS. THE DEPARTMENT OF MUNICIPAL AFFARS HAS EXPANDED ITS ASSESSMENT SCOPE AND IS DOING MUCH TO ASSIST IN IMPROVING ASSESSMENT PRACTICE AND PRINCIPLE. PROPERTY OWNERS ARE NOW AWARE THAT IMPROVEMENT IN BOTH ADMINISTRATIVE AND TECHNICAL FIELDS OF ASSESSMENT IS STEADILY ADVANCING, RESULTING IN THEIR MORE READILY ACCEPTING THE PRINCIPLES OF PROPERTY TAXATION.

3. FINALLY, PEOPLE GENERALLY ARE CREATURES OF HABIT AND ARE RESISTANT TO CHANGE UNLESS THEY ARE SURE SUCH CHANGE WOULD BE TO THEIR ADVANTAGE.

WITH ALL ITS FAULTS, IT SEEMS THAT THE TAX ON PROPERTY WILL BE DIFFICULT TO REPLACE AT THE LOCAL LEVEL. IF WE THEREFORE ASSUME THAT IT IS HERE TO STAY, IT DEMANDS THAT WE INVESTIGATE ALL ITS FACETS TO SATISFY OURSELVES THAT IT IS PROPERLY DOING THE JOB AND WHAT JOBS ARE REQUIRED OF IT.

GWYNETH MCGREGOR IN THE ARTICLE "TAXATION IN THE ANCIENT WORLD" HAS TOLD US THAT THE FIRST ORGANIZED FORM OF TAXATION EXISTED IN EGYPT IN 4241 B.C. AND THAT THE GREEKS, PERSIANS AND ROMANS ALL HAD A FORM OF PROPERTY ASSESSMENT AND TAXATION. HISTORY ALSO INDICATES THAT THOSE INVOLVED IN THESE FIELDS OF EFFORT REQUIRED NO SPECIAL KNOWLEDGE OR ABILITY TO PERFORM THEIR TASKS. THEY EITHER BOUGHT THE JOB OR GAINED IT BY FRIENDSHIP TO THOSE IN HIGH PLACES. TODAY, WE FIND MANY SIMILAR CONDITIONS EXIST. PERSONS OF NO REQUIRED ACADEMIC STANDING, NO REQUIRED TRAINING, NO PREVIOUS EXPERIENCE ARE PERMITTED TO PERFORM A FUNCTION THAT SUPPLIES THE WHEREWITHAL TO MEET THE NEEDS OF A COMMUNITY. WHAT IS MORE INSIDIOUS, THEY OFTEN GAIN THE OFFICE NOT BY WHAT THEY KNOW BUT BY WHOM THEY KNOW.

THE NEED IS THAT LOCAL MUNICIPALITIES SHOULD EMPLOY ONLY PROPERLY TRAINED ASSESSORS. THIS COULD BEST BE IMPLEMENTED BY THE PROVINCE SETTING UP A SYSTEM OF LICENSING BASED UPON REQUIRED QUALIFICATIONS OF KNOWLEDGE AND ABILITY.

IN THE PROVINCE OF ONTARIO IN THE YEAR 1961, $1,151,209,000. WAS THE TOTAL MUNICIPAL REVENUE FROM ALL SOURCES, OF THIS AMOUNT $641,310,000. OR 55.70% WAS RAISED THROUGH TAXATION BASED ON REAL PROPERTY AND BUSINESS ASSESSMENT.

THE ASSESSOR BEING PRIMARILY CONCERNED WITH THE BASIS OF TAXATION OF REAL PROPERTY, THE FOLLOWING QUESTIONS ARISE:

QUESTION NUMBER 1.

IS THE PROPERTY TAX A SUITABLE MEANS OF FINANCING LOCAL GOVERNMENTS' SHARE OF THE RAPIDLY MOUNTING EDUCATIONAL AND WELFARE COSTS? SHOULD IT BE EXPECTED TO CONTINUE PRODUCING ABOUT TWO-THIRDS OF A BILLION DOLLARS OF ANNUAL REVENUE, AND HOW LONG CAN IT TAKE ITS FULL SHARE OF FUTURE INCREASES?

TODAY THE PROPERTY TAX IS BEING ASKED TO CARRY MORE THAN ITS FAIR SHARE OF EXPENDITURES, TO PAY FOR ITEMS OF COST THAT WERE NEVER ANTICIPATED WHEN IT WAS SET UP AS THE BASIS FOR LOCAL REVENUE. GRANTED THESE MAY BE OF A LOCAL NATURE BUT WHEN EXAMINED CLOSELY ARE NOT ALWAYS BY LOCAL CREATION. CHIEF OF THESE ARE THE COSTS OF EDUCATION AND WELFARE. IN ESSENCE IT HAS BEEN THE STATE, RATHER THAN LOCAL GOVERNMENT, THAT HAS CREATED BROADER EDUCATIONAL STANDARDS AND EXPANDED SOCIAL WELFARE. THESE HAVE BEEN NECESSARY REFORMS, BUT HAVING NATIONAL SIGNIFICANCE, SHOULD NEVER HAVE BEEN PAID FOR ON THE LOCAL LEVEL.

AS CANADIANS WE ARE ALL ANXIOUS TO KEEP ABREAST WITH THE EVER CHANGING SCIENCES AND THE CONSTANT PROGRESS OF EDUCATION, BUT AT TIMES IT APPEARS THAT WE ARE SACRIFICING THE NEEDED QUALITIES FOR OVERBURDENING FACILITIES PARTICULARLY IN REGARD TO PRIMARY AND SECONDARY EDUCATION. SCHOOLS TODAY ARE NOT BUILT TO SUIT LOCAL REQUIREMENTS BUT RATHER TO MEET THE IDIOSYNCRASIES OF LOCAL SCHOOL BOARDS. A TYPE OF COMPETITION SEEMS TO EXIST BETWEEN LOCAL BOARDS TO ERECT SCHOOLS JUST A LITTLE BETTER ARCHITECTURALLY AND PHYSICALLY, (BUT NOT NECESSARILY ACADEMICALLY), THAN THOSE OF NEIGHBOURING AREAS. GRANTED THE PROVINCE HAS SOME CONTROL ON THESE STRUCTURES, HOWEVER, THEY SELDOM SEEM TO USE IT, EVEN THOUGH THEY PAY HUGE SUMS FOR THE ERECTION OF SCHOOLS. IT IS COMMON TO FIND MANY FEATURES OF CONSTRUCTION "FRILLS" THAT ARE NOT REQUIRED FOR DIRECT EDUCATIONAL PURPOSES AND MORE OFTEN THAN NOT ARE NOT WANTED.

IT IS OUR CONSIDERED OPINION THAT AT LEAST 50% OF THE TOTAL COST OF EDUCATION SHOULD BE PAID FOR BY THE PROVINCIAL GOVERNMENT. THE OTHER 50% BE PAID BY THE MUNICIPALITIES. THE MYTH THAT EDUCATION IS FREE SHOULD BE DROPPED FOR ALL TIME. NOT ONLY SHOULD THE PARENTS AND OTHERS REALIZE THAT EDUCATION COSTS MONEY BUT THOSE WHO ARE RECEIVING THE EDUCATION SHOULD ALSO BE AWARE OF IT. THIS WOULD RESULT IN PROPERTY TAXATION BEING REDUCED IN MOST MUNICIPALITIES.

IF THE REDUCTION WERE USED FOR OTHER MUNICIPAL PROJECTS, I.E. WATER-WORKS, SEWERS, ETC., IT WOULD BE FOUND THAT MANY OF THESE COULD BE FINANCED ON A PAY-AS-YOU-GO BASIS RESULTING IN A LESSENING OF CAPITAL EXPENDITURE, INTEREST CHARGES WHICH PRESENTLY OFTEN EQUAL OR EXCEED THE COST OF A PROJECT. THE END RESULT BEING BETTER HEALTH AND SOCIAL BENEFITS TO ALL MUNICIPALITIES.

ADDITIONALLY, IT IS FELT THE PROVINCE SHOULD DIRECT AND SUPER-VISE ALL PHASES OF EDUCTION IN SUCH A MANNER THAT IT BE DISPENSED SIMILARILY THROUGHOUT THE PROVINCE AND THAT SAME FACILITIES BE PRO-VIDED IN ALL INSTANCES. MATERIALS USED IN EDUCATION (TEXTS) COULD THEN HAVE SOME HOPE OF STANDARDIZATION.

WELFARE IS ANOTHER ITEM OF NATIONAL AND PROVINCIAL SIGNIFI-CANCE, AND OF LOCAL CONCERN BUT SHOULD BE LARGELY PAID FOR BY THE HIGHER GOVERNMENTS.

IN EFFECT WE ARE NOT SUGGESTING NEW SOURCES OF REVENUE, RATHER THE SHIFTING OF PRESENT SOURCES; HOWEVER, WE SUGGEST IT MEETS A NEED. AS PREVIOUSLY STATED ALL GOVERNMENT REVENUE MUST IN THE FINAL ANALYSIS BE PAID FOR BY THE PEOPLE IN ONE FORM OR OTHER. IT IS QUEST-IONABLE WHETHER THE FIELDS OF REVENUE SHOULD BE EXPANDED, IN FACT IT MAY BE BETTER TO CONSOLIDATE MANY OF THOSE NOW IN FORCE. THE CREATION OF A NEW TAXING SOURCE BRINGS WITH IT A NEW ADMINISTRATIVE BODY AND ADMINISTRATION COSTS. IT SEEMS LOGICAL THAT FEWER SOURCES OF REVENUE WOULD PROVE PALATABLE TO THE GENERAL PUBLIC, AND CERTAINLY WOULD CURTAIL ADMINISTRATIVE COSTS.

THE CONCLUSION REACHED IS THAT PROPERTY TAXATION IS A GOOD BASIS UPON WHICH TO COLLECT LOCAL GOVERNMENT REVENUE PROVIDED THAT THE EXCESSIVE COST OF WELFARE BE ASSUMED BY THE HIGHER LEVELS OF GOVERN-MENT. UNLESS THIS STEP IS TAKEN THE EVER RISING COST OF WELFARE COULD FINANCIALLY THROTTLE BENEFICIAL IMPROVEMENTS OF A LOCAL NATURE.

QUESTION NUMBER 2.

IS THE PROPERTY TAX BEING MADE TO CARRY THE LOAD BY TIPPING THE WEIGHT OF TAX MORE HEAVILY AGAINST BUSINESS PROPERTIES? HAS THE SPLIT MILL RATE STARTED A TREND WHICH IS LIKELY TO GET OUT OF CONTROL? CAN THIS SHIFT IN TAX INCIDENCE BE DEFENDED ON GROUNDS OF EQUITY OR MERE EXPEDIENCE? IF SO MUCH MONEY HAS TO COME FROM BUSINESS, IS THE PROPERTY TAX AND ITS BUSINESS SUPPLEMENT THE FAIREST AND MOST REASON-ABLE WAY TO TAX BUSINESS?

WHEN WE CONSIDER THE SPLIT MILL RATE AND TAXES ON BUSINESS PROPERTIES, TO INCLUDE BOTH REALTY TAX AND BUSINESS TAX, ONE MUST BEAR IN MIND THAT ALTHOUGH THE HIGHER MILL RATE FOR NON-RESIDENTIAL PROPERTIES, ON THE SURFACE, WOULD SEEM TO BE AN ADDITIONAL BURDEN TO THE OWNERS OF THE PROPERTY AND THE PERSONS IN BUSINESS. WE MUST REALIZE THAT IN A BUSINESS OPERATION THIS ADDITIONAL TAX, IF WE ARE TO CALL IT THAT, IS PASSED ALONG FOR THE MOST PART TO THE CONSUMER. IT THEN BECOMES, IN A SENSE, TO THE HOME OWNER A HIDDEN TAX IN THE

ARTICLES OF MERCHANDISE, THAT HE BUYS FROM DAY TO DAY. WE THINK TOO, IT MUST BE REMEMBERED, THAT THE MILL RATE WHEN SPLIT DUE TO THE PROVINCIAL GRANT TO BOTH RESIDENTIAL AND FARM PROPERTIES LEAVES THE NON-RESIDENTIAL RATE IN THE POSITION OF BEING THE TRUE MILL RATE OF EACH MUNICIPALITY; THIS NON-RESIDENTIAL RATE IS REDUCED BY THE PROVINCIAL GRANT IN ORDER TO CREATE A RESIDENTIAL RATE.

THIS NON-RESIDENTIAL (COMMERCIAL VOTE) CANNOT BE DEFENDED ON ANY GROUNDS OF EQUALITY, AND MOST CERTAINLY, IT IS OUR OPINION THAT IT WAS INSTITUTED AS A MERE MEASURE OF EXPEDIENCE, BUT IS ECONOMICAL TO LEVY. WE BELIEVE WERE IT TO HAVE EQUITY AND THAT THE SO-CALLED TAX RELIEF GRANTED BY THE PROVINCE, TO THE RESIDENTIAL PROPERTY OWNER, SHOULD HAVE STOPPED WITH THE INDIVIDUAL HOME OWNER, RATHER THAN INCLUDING PROPERTIES THAT ARE MULTI OCCUPIED AND FOR THE MOST PART A BUSINESS VENTURE FOR THE OWNER. HERE WE WOULD INCLUDE ALL COMMERCIAL PROPERTIES AND RESIDENTIAL PROPERTIES SUCH AS APARTMENT HOUSES.

IT SEEMS THAT IF BUSINESS IS TO BE FURTHER TAXED, THEN AT THE TIME THE PROVINCIAL GRANT WAS ESTABLISHED TO CREATE THE SPLIT MILL RATE IT SHOULD HAVE BEEN APPLICABLE TO BUSINESS TAX ONLY, AND NOT INCLUDE REAL PROPERTY. ONE OF THE MOST DRASTIC EFFECTS OF THE SPLIT MILL RATE IS FOR PERSONS IN COMMERCIAL OR INDUSTRIAL BUSINESS, COMPETING ON THE OPEN MARKET, BEYOND THE LOCAL MUNICIPAL BOUNDARY, WITH BUSINESS ENTERPRISES IN OTHER JURISDICTIONS WHERE TAXES MAY BE LOWER, RESULTS IN THE POSSIBILITY THAT THEIR PRODUCT, DUE TO INCREASED TAXATION IS NOT COMPETITIVE AND THEREFORE LOSS OF BUSINESS MAY OCCUR.

THERE SEEMS TO BE SOME CONCERN RESPECTING THE LEVEL OF TAXATION TODAY AND IN ORDER TO ESTABLISH THE LEVEL IN RELATION TO OTHER COMMODITIES, ON THE MARKET, WE GO BACK TO 1943; TWENTY YEARS AGO IN THE CITY OF BELLEVILLE THE MILL RATE WAS THIRTY-SEVEN MILLS, IF ONE CALCULATES THREE THOUSAND DOLLAR ASSESSMENT BY THIRTY-SEVEN MILLS ONE ARRIVES AT ONE HUNDRED AND ELEVEN DOLLARS, IN TAXATION. TODAY THE RESIDENTIAL MILL RATE IS NINETY-ONE POINT NINE (91.9) AND ON THE SAME ASSESSMENT OF THREE THOUSAND DOLLARS THE TAXATION IS TWO HUNDRED AND SEVENTY-FIVE DOLLARS AND SEVENTY CENTS. THIS IS, WELL, UNDER THE GENERAL INCREASE IN CONSUMER GOODS AND IN PARTICULAR PROPERTY VALUES. THE NON-RESIDENTIAL MILL RATE FOR 1963 IN THE SAME CITY IS ONE HUNDRED AND THREE MILLS AND ON A THREE THOUSAND DOLLAR ASSESSMENT THIS WOULD AMOUNT TO THREE HUNDRED AND NINE DOLLARS ANNUAL TAXATION. AGAIN THIS IS LESS THAN THE GENERAL INCREASE IN COSTS OF VARIOUS COMMODITIES.

THE ENTIRE THEME OF THE TERMS OF REFERENCE, AS SET OUT BY THE ONTARIO COMMITTEE ON TAXATION, IS HOW CAN THE PROVINCIAL GOVERNMENT OR A MUNICIPAL GOVERNMENT OBTAIN MORE TAX INCOME OR REVENUE FROM THE PEOPLE? OUR OWN EXPERIENCE IS THAT IT WOULD APPEAR MORE LOGICAL TO ENQUIRE AS TO <u>HOW</u> MUNICIPAL GOVERNMENTS SPEND THEIR MONEY, RATHER THAN LOOK FOR WAYS TO COLLECT ADDITIONAL FUNDS.

THE LAST PART OF THE QUESTION IS ASKING WHETHER OR NOT PROPERTY TAX AND ITS BUSINESS SUPPLEMENT IS THE FAIREST AND MOST REASONABLE WAY TO TAX BUSINESS? WE MAKE REFERENCE TO PAGE SIX OF THE PROPOSED REVISION OF AMENDMENTS AS SUGGESTED BY THIS ASSOCIATION TO THE SELECT COMMITTEE IN 1962. WE ARE OF THE OPINION, IF THE AMEND-

MENTS AS RECOMMENDED FOR SECTION NINE (9) WERE ADOPTED AND PLACED IN THE ASSESSMENT ACT, THEN THE BUSINESS TAX WOULD BE FAIRER AND HAVE GREATER EQUITY THAN AT PRESENT.

QUESTION NUMBER 3.

HOW IMPORTANT IS IT AND HOW DIFFICULT WOULD IT BE TO MOVE TO A MORE CURRENT BASIS OF VALUATION AND UNIFORM ASSESSMENT ACROSS THE PROVINCE? CAN OTHER WAYS BE DEVISED TO PROMOTE BETTER PROPERTY ASSESSMENT?

THE APPRAISAL OF REAL PROPERTY AT CURRENT MARKET VALUES IS IMPORTANT IN ORDER TO:

1. REFLECT CURRENT COSTS THAT ENTER INTO IMPROVEMENTS TO LAND.

2. REFLECT CURRENT VALUES IN LAND ITSELF.

3. ENABLE TAXPAYERS TO COMPARE THE VALUE OF THEIR PROPERTY WITH SIMILAR PROPERTIES ON THE MARKET TO KNOW IF THEY ARE EQUITABLY VALUED.

THE QUESTION OF WHETHER IT IS DESIRABLE TO ASSESS AT 100% OF CURRENT MARKET VALUE SHOULD BE CONSIDERED IN THE LIGHT OF RECENT ENDEAVOURS, IN THIS REGARD, IN OUR OWN AND OTHER ASSESSMENT JURISDICTIONS. IN THE UNITED STATES, IN 1958, SEVEN STATES AUTHORIZED FRACTIONAL STANDARDS OF ASSESSMENT, VARYING FROM 35% TO 60% OF ACTUAL VALUE. IN CANADA THERE IS ALSO A TREND TOWARD LEGALIZING FRACTIONAL STANDARDS OF ASSESSMENT. IN ALBERTA, UNDER ITS RECENTLY REVISED ASSESSMENT MANUAL, THE BASE YEAR FOR VALUE IS 1950. LAND IS TO BE ASSESSED AT 100% OF ITS FAIR ACTUAL VALUE, BUILDINGS AT A GIVEN PERCENTAGE OF THEIR FAIR ACTUAL VALUE. IN ONTARIO, THE ASSESSMENTS MADE IN THE MAJORITY OF MUNICIPALITIES ARE IN TERMS OF 1940 DOLLAR VALUE OR APPROXIMATELY ONE THIRD OF CURRENT MARKET VALUE.

IT IS SUGGESTED THAT VALUATION OF REAL PROPERTY SHOULD BE AT CURRENT MARKET VALUE IN 1963 DOLLARS. THE MATTER OF ASSESSING AT 100% OF ACTUAL VALUE, OR SOME PERCENTAGE THEREOF, SHOULD BE LEFT UP TO THE DISCRETION OF THE PROVINCIAL GOVERNMENT AND PLACED IN THE ASSESSMENT ACT SO THAT PROVINCIAL EQUALIZATION IS OBTAINED. IN ORDER TO HAVE QUITY BETWEEN URBAN AND RURAL ASSESSMENTS THE SAME PERCENTAGE USED FOR ASSESSMENT SHOULD APPLY TO THE APPRAISAL OF THE LAND AND THE APPRAISAL OF THE BUILDINGS OR IMPROVEMENTS TO LAND.

THE ASSESSMENT OF REAL PROPERTY CAN BE IMPROVED BY THE ASSESSMENT ACT BEING AMENDED TO CLARIFY THE DEFINITION OF "LAND". IMPROVEMENTS TO LAND, FIXTURES, MACHINERY AND ITEMS PLACED ON LAND AS, AT PRESENT, NOTED IN THE ASSESSMENT ACT HAVE RESULTED IN CONFUSION AMONG ASSESSORS AND ALSO IN THE COURTS AS TO WHAT IS ASSESSABLE PROPERTY.

QUESTION NUMBER 4.

WHAT SHOULD BE DONE TO HELP MUNICIPALITIES WHICH LACK SUFFICIENT INDUSTRIAL AND COMMERCIAL PROPERTIES TO PROVIDE ADEQUATE AND STABLE TAX REVENUES? WOULD IT BE BETTER IF TAX REVENUES WERE POOLED AND REDISTRIBUTED OVER WIDER AREAS THAN MOST OF THE PRESENT MUNICIPALITIES? IF THE AREAS FOR REVENUE RAISING SHOULD BE ENLARGED, CAN THIS BE DONE WITHOUT ENLARGING PRESENT MUNICIPAL UNITS SUCH AS TOWNSHIPS DATING BACK TO THE 1790'S AND THE COUNTIES DATING BACK TO THE 1840'S? SHOULD THE COMMITTEE BE CONCERNING ITSELF WITH FUNDAMENTAL RE-ORGANIZATION OF THE MUNICIPAL STRUCTURE, OR WOULD IT BE MERELY TINKERING WITH THE TAX SYSTEM IF IT RECOMMENDED TAX CHANGES WITHOUT ANY CONSIDERATION OF THE SIZE OF TAXING UNITS?

THE TREND ADOPTED BY THE PROVINCIAL GOVERNMENT IN RECENT YEARS HAS BEEN TOWARDS LARGER TAXING UNITS IN THE GRANTING OF ANNEXATIONS, UPON THE APPLICATION OF URBAN MUNICIPALITIES. THIS ALONE DOES NOT APPEAR TO BE THE SOLUTION OF THE PROBLEM, AS THE GRANTING HAS BEEN MADE IN RATHER A HIT-AND-MISS BASIS. IT WOULD APPEAR FROM READING MANY OF THE ANNEXATION REPORTS THAT TOO MUCH ATTENTION HAS BEEN PAID TO HOW WELL THE COUNSEL FOR THE APPLICANT SUBMITTED THE CASE, HOW BIG A NAME HAD THE CONSULTING ENGINEERS AND HOW POOR A SUBMISSION WAS OFFERED BY THE MUNICIPALITIES IN DEFENCE. THE REPORTS CONTRADICT THEMSELVES, IN OTHER WORDS, THE FINDINGS IN ONE CASE ARE OFTEN IN DIRECT CONTRADICTION TO THE REASONS FOR EITHER REFUSING OR GRANTING AN ANNEXATION IN OTHER CASES. THIS HAS LED TO THE SAD STATE OF MANY MUNICIPALITIES FINDING THEMSELVES OVER-EXTENDED, SPIRALING TAX RATES AND VERY DISSATISFIED RATEPAYERS IN THE ANNEXED AREA FOR WHOM THE MUNICIPALITY CANNOT PROVIDE THE SERVICES AS PROMISED. IT HAS ALSO LED TO THE DRAINING OF THE TAX BASE FROM MANY MUNICIPALITIES TO THE POINT WHERE THE REMAINING AREA CANNOT ADEQUATELY ADMINISTER THE AFFAIRS OF THE MUNICIPALITY DUE TO THE REDUCTION IN REVENUE BUT NO PROPORTIONATE REDUCTION IN OVER-ALL EXPENSES.

THERE ARE MANY, WHAT MAY BE TERMED, DORMITORY TOWNS OR VILLAGES SURROUNDING LARGER INDUSTRIAL CITIES. PEOPLE HAVE BUILT IN THESE AREAS, EITHER TO ESCAPE THE HIGH CITY TAXATION OR BECAUSE THEY PREFER THE MORE RURAL ENVIRONMENT. THESE ARE CREATING A PROBLEM FOR THEMSELVES, AS BEING PREDOMINATELY RESIDENTIAL, AND MOST OF THE RESIDENTS YOUNGER FAMILIES WITH PRE AND SCHOOL AGE CHILDREN, TAXES ARE BOUND TO SKY-ROCKET AS THE MUNICIPALITIES HAVE NO INDUSTRIAL OR COMMERCIAL ASSESSMENT TO OFFSET THE COSTS OF SERVICES AND SCHOOLS TO THE RESIDENTIAL RATEPAYER.

THIS SITUATION HAS BEEN PARTIALLY RESOLVED, AT LEAST, IN THE MINING AREAS OF NORTHERN ONTARIO, WHERE THE MINE IS IN ONE MUNICIPALITY AND MANY EMPLOYEES LIVE IN ADJACENT MUNICIPALITIES. THE PROVINCIAL GOVERNMENT HAS SET UP A FORMULA TO COMPENSATE THE MUNICIPALITIES WHO SERVICE THE EMPLOYEES BUT WHO DO NOT HAVE THE MINING ASSESSMENT FOR TAXATION PURPOSES. POSSIBLY THIS DESERVES SOME THOUGHT AS IT COULD BE APPLIED TO SOUTHERN ONTARIO AND INDUSTRY IN GENERAL, BUT IN MANY AREAS IT WOULD APPEAR THAT IT WOULD HAVE LITTLE EFFECT.

On the other hand, to pool and redistribute industrial and commercial tax revenue over wider areas does not seem practical under the frame work of present municipal structures. No municipality in Ontario is satisfied at present with their ration of commercial and industrial assessment in proportion to residential assessment. So, to try and take from the haves to give to the have nots would create political chaos, and it is something that any government would quite rightly shy away from.

It would appear that the logical soluation would be to create larger taxing units. We hear, down through the years, so much about local autonomy, but on close observation a good deal of this comes from local politicians and not from the inhabitants at large. A logical set up would be to enlarge the administrative jurisdiction of Counties. Leave the cities and separated towns as they are for the present, and also the present boundaries of townships, villages and towns, but give the counties more taxing authority, i.e. bring the assessment, schools, hospitals, welfare, libraries, police, fire protection, etc., all under the county set up and leave the local municipalities to administer their general rate only. The taxes could still be collected locally, as at present, and the county's share turned over to the county for administration. This would be on a similar basis to the Greater Toronto Metropolitan Area. The Provincial Government in their wisdom created the Metro Area, under Bill 80, and it has had a ten year run and proved quite successful. From all indications this area is now preparing for full annexation, and quite rightly so, but amalgamation of the whole area was not forced at one fell swoop. They have had ten years of partial amalgamation for certain services, which has proved successful and now are ready for the big step to one huge residential, commerical and industrial complex.

It would appear logical and right that the Committee should concern itself not only with the tax system, as presently constructed, but with re-organization of the municipal structure, for there is no logic in contemplating one without the other and no permanent solution can be reached by treating each as a separate entity.

QUESTION NUMBER 5.

Local government should be supported by grants from the Province for expenditures which are necessary for the welfare of its people and which have not arisen because of local conditions alone.

Expenditures for highways, education and welfare should be met both locally and by provincial grants.

Welfare costs should be borne by both governments with the larger share borne by the provincial government. In today's economy with the quick shifting of population and the shifting of economic advantage the need for welfare costs is greater than the municipal government can supply. It requires revenue sources that are not available to it but which are available to the senior governments.

HIGHWAY COSTS APPEAR TO BE FAIRLY SHARED BY MUNICIPAL AND PROVINCIAL GOVERNMENTS UNDER PRESENT LEGISLATION.

THE GRANTS MADE TO LOCAL BOARDS AND TO MUNICIPAL COUNCILS TEND TO HAVE THE EFFECT OF INCREASING THE SPENDING PATTERNS OF SUCH BODIES. IN SOME INSTANCES THE GRANTS HAVE BEEN MADE TO DO JUST THAT, ESPECIALLY IN THE CASE OF ELEMENTARY AND SECONDARY SCHOOL BOARDS, WELFARE AND COUNTY HOMES, HOSPITALS, AND IN SOME INSTANCES COUNTY ROAD CONSTRUCTION AND LOCAL ROAD AND BRIDGE EXPENDITURES.

THE ATTITUDE THAT NOTHING IS TOO GOOD FOR OUR CHILDREN IS RESULTING IN A TREMENDOUS INCREASE IN THE COST OF THE EDUCATIONAL PLANT. ONE WONDERS IF THE PLANT OF TODAY WILL RESULT IN AS KEEN MINDS AND AS RESPONSIBLE CITIZENS TOMORROW AS WE FIND TODAY. IS THERE SUCH A THING AS A PAMPERED GENERATION? ARE WE TENDING TO PAMPER OUR TEACHERS AS WELL, TO PAMPER OUR DOCTORS WITH PRESENT DAY HOSPITALS AND TO PAMPER MUNICIPAL EMPLOYEES WITH OFFICES EXTRAORDINARY, AND OUR OLD FOLK WITH A PLACE OF ABODE THAT IS LUXURY CONFOUNDED. IS IT RIGHT TO MORTGAGE OUR FUTURE AND OUR CHILDRENS FUTURE TO HAVE THESE THINGS?

QUESTION NUMBER 6.

HAS LOCAL GOVERNMENT ENOUGH FLEXIBILITY WHEN PERHAPS ONE-FIFTH OF THE ANNUAL BUDGET IS PRE-COMMITTED TO MEET DEBT CHARGES? IS THE HEAVY DEPENDENCE UPON CAPITAL BORROWING SYMPTOMATIC OF SICKNESS IN THE CURRENT REVENUE SOURCES OF WHICH MUNICIPALITIES RELY?

IT WOULD APPEAR THAT IN ENDEAVOURING TO SUPPLY AN ANSWER TO THE ABOVE QUESTIONS ONE DEPARTS FROM THE LOCAL MUNICIPAL SCENE AND EMBARKS ON A VOYAGE IN ECONOMICS TO THE FEDERAL LEVEL AND FROM THERE TO THE UNIVERSE.

OUR FAST PACED ECONOMY TODAY IS BASED ALMOST ENTIRELY ON OUR CAPACITY TO BORROW, AND OUR BORROWING POWER DEPENDS ON OUR ASSETS. THIS STARTS WITH THE INDIVIDUAL AND GOES ON TO TAKE IN ALL CLASSES OF GOVERNMENTS AND BUSINESS. THEREFORE, IT WOULD APPEAR THAT, THIS MODE OF LIFE IS HERE TO STAY.

WE HAVE READ AND BEEN TOLD REPEATEDLY EVER SINCE WORLD WAR II THAT THIS STATE OF AFFAIRS COULD NOT LAST, AND AT LEAST AT THE MUNICIPAL TAX LEVEL, WERE TOLD THAT THE PEOPLE WOULD BE TAXED OUT OF THEIR HOMES. NOW 18 YEARS LATER THIS HAS NOT PROVED THE CASE AND INDEED MOST PEOPLE ARE FAR BETTER ABLE TO PAY THEIR CURRENT TAXES OF SAY $350. PER YEAR THAN THEY WERE TO PAY $125. PER ANNUM IN THE LATE FORTIES.

CURTAIL BORROWING POWERS AND YOU CURTAIL THE FLOURISHING ECONOMY BUILT UP OVER THE YEARS. THE PEOPLE DEMAND SERVICES AND IT IS UP TO THE LOCAL GOVERNMENTS TO SUPPLY THESE SERVICES TO THE BEST OF THEIR ABILITY AND WITHIN REASONABLE BOUNDS.

WE KNOW THAT WHEN A 10, 15, OR 20 YEAR DEBENTURE IS ISSUED WE ARE PAYING ONE-THIRD TO ONE-HALF OR DOUBLE THE NET VALUE, BUT ASK THE AVERAGE TAXPAYER AND HE WILL TELL YOU THAT THIS IS THE WAY HE WANTS

IT, "WHY SHOULD HE SCRATCH UP THE CASH TO PAY IN FULL? LET THE YOUNG FOLKS AND CHILDREN GROWING UP HELP TO PAY IN THE FUTURE WHAT WE HAVE TODAY."

ANY LOCAL COUNCIL WHO WOULD ADD 10 MILLS TO THE CURRENT RATE TO PAY FOR A SEWER ETC., ON A PAY-AS-YOU-GO BASIS WOULD BE COMMITTING POLITICAL SUICIDE.

ADMITTEDLY, A LOT OF MUNICIPALITIES ARE WISELY SETTING UP A CAPITAL PROGRAMME AND BUDGETING ONE OR TWO OR MORE MILLS PER YEAR AS A CAPITAL RESERVE FUND. THIS IS ALL TO THE GOOD AND THE PROVINCE HAS RECOMMENDED THIS SINCE TIME IMMEMORIAL AND EVEN IF A MUNICIPALITY HAS BEEN FOLLOWING THIS METHOD CONSCIENTIOUSLY FOR YEARS IT'S A HELP, BUT NOT A GREAT ONE, AS THERE IS SUCH A DEMAND FOR SERVICES, THE OPENING UP OF NEW SUB-DIVISIONS, AND THE EVER PRESENT SCHOOL EXPANSION PROBLEM.

THERE IS NO DOUBT THAT MANY MUNICIPALITIES HAVE GONE WILD AND OVER SPENT AS FAR AS CAPITAL WORKS ARE CONCERNED, AND NOW FIND THAT THEY ARE SO HEAVILY BURDENED WITH DEBENTURE DEBT THAT PRESENT NEEDS ARE CURTAILED, AND IN FACT THEIR ORDINARY MAINTENANCE PROGRAMMES ARE SUFFERING BADLY FROM LACK OF FUNDS. THIS IS WRONG AND SHOULD BE RECTIFIED. THE MUNICIPAL BOARD IS OVERBURDENED WITH WORK, AND HAVE APPROVED TOO READILY IN THE PAST MANY AMBITIOUS PROJECTS WHICH WERE TOO COSTLY FOR THE NEED OF THE MUNICIPALITY CONCERNED. POSSIBLY, THIS COULD BE RECTIFIED BY SETTING UP A SEPARATE SECTION OF THE BOARD TO DEAL WITH CAPITAL PROGRAMMES ONLY OF MUNICIPALITIES, THUS ENSURING THAT THE NEEDS OF THE PRESENT ARE NOT ALL INTERTWINED WITH DREAMS OF GREATNESS IN THE FUTURE. A GREAT NUMBER OF MUNICIPALITIES WILL HAVE TO AWAKEN TO THE FACT THAT THEY ARE NOT GOING TO BE GREAT METROPOLISES BUT WILL PROBABLY REMAIN MEDIOCRE, SMALL, RESIDENTIAL CITIES AND TOWNS, AND IT IS UP TO GOVERNMENT SUPERVISION TO SEE THAT THEY ARE ENLIGHTENED IN THIS REGARD. IT IS A TRITE SAYING "A CHAMPAGNE APPETITE AND A BEER POCKETBOOK", BUT NEVERTHELESS, VERY TRUE.

IT IS AT LEAST GOOD TO KNOW THAT WHILE THE HIGHER ECHELONS OF GOVERNMENT RESORT TO DEFICIT FINANCING, MERELY BORROWING MORE MONEY TO PAY OFF LOANS AS THEY FALL DUE, THEY DO NOT ALLOW THEIR LOCAL MUNICIPALITIES TO DO THIS. THE LEGISLATORS WHO ENACTED THE BALDWIN ACT OF 1849 WERE WISE MEN AND THE PRINCIPLES AS LAID DOWN ARE STILL VALID TODAY.

IT WOULD APPEAR PROPER THAT THE RESIDENTIAL TAXPAYERS OF A MUNICIPALITY SHOULD PAY FOR THE SERVICES RECEIVED. THE THING THAT DOES NOT APPEAR RIGHT IS THAT MUNICIPALITIES SHOULD OVER SPEND AND BE CARRIED AWAY, THUS ENDANGERING THEIR ECONOMIC STRUCTURE AND CURBING FUTURE EXPANSION. THERE HAVE BEEN TOO MANY "FRILLS" ESPECIALLY IN REGARD TO SCHOOLS. AS MENTIONED ABOVE, GREATER SUPERVISION MAY BE REQUIRED IN THE GRANTING OF PERMISSION TO ISSUE DEBENTURES FOR CERTAIN WORKS.

WE KNOW THAT RIGHT DOWN IN TO THE VILLAGES THE PROVINCIAL GOVERNMENT IS PUSHING FOR SEWER SYSTEMS. CERTAINLY WE KNOW THAT THE INHABITANTS CANNOT UNDERGO A MAJOR WORKS PROGRAMME SUCH AS THIS ON A PAY-AS-YOU-GO BASIS. THEREFORE, DEBENTURES MUST BE ISSUED, THE RATEPAYERS MEET THIS OBLIGATION.

TAXES ARE STILL NOT OUT OF BOUNDS, NOR AS A RULE ARE DEBT CHARGES. A FARMER THINKS NOTHING OF PAYING MORE HYDRO CHARGES IN A YEAR THAN HE DOES MUNICIPAL TAXES. YET HE MAY COMPLAIN BITTERLY ABOUT HIS TAXES BUT NEVER A WORD ABOUT HYDRO COSTS. SIMILARLY A MAN PAYING ON A CAR, T. V., WASHING MACHINE, ETC. BUT TAXES ARE SOMETHING THAT IT APPEARS TO THE INDIVIDUAL ONLY RIGHT TO COMPLAIN AGAINST.

THE PROVINCIAL GOVERNMENT THROUGH ITS GRANT STRUCTURE HAVE REALIZED THE NEEDS OF MUNICIPALITIES, WITH EVER INCREASING GRANTS WHICH HAVE HELPED IMMEASURABLY TO KEEP THE TAX RATE AT A MORE OR LESS SAFE LEVEL.

THE MUNICIPALITIES ARE POSSIBLY LEFT TOO MUCH ON THEIR OWN. ONE BAD FEATURE, IN RECENT YEARS, HAS BEEN THE INDISCRIMINATE OPENING UP OF NEW SUBDIVISIONS, WHETHER THE NEED WAS THERE OR NOT, THUS LOADING THE MUNICIPALITY WITH DEBT IT COULD ILL AFFORD. FAR BETTER A LOT OF THESE SUBDIVISIONS HAD NEVER BEEN OPENED. THE NEED SHOULD BE THERE BEFORE THE GO AHEAD SIGNAL IS GIVEN.

THIS ALL COMES BACK TO THE NEED OF GREATER SUPERVISION OVER THE BORROWING AND SPENDING POWERS OF LOCAL COUNCILS. A POLITICIAN NEVER REMAINED POPULAR LONG BY SAYING "No" TO PEOPLE, AND TOO MUCH OF LOCAL GOVERNMENT IS JUST PLAIN POLITICS, AND NOT ENOUGH GOOD SOUND ADMINISTRATION. IN FACT A GOOD SOUND ADMINISTRATOR, WHO WOULD SPEND MUNICIPAL MONEY AS HE WOULD IN CONDUCTING ANY OTHER BUSINESS, DOES NOT AS A RULE LAST LONG AS A LOCAL POLITICIAN. THEREFORE, THE CURBS ON LOCAL COUNCILS SHOULD BE MORE STRINGENT THAN THEY ARE AT PRESENT.

ERGO; THE MUNICIPALITIES DO HAVE ENOUGH FLEXIBILITY WITHIN THEIR PRESENT BOUNDARIES OF TAXATION TO MEET DEBT CHARGES, AND PRESENT REVENUE SOURCES IN THIS RESPECT APPEAR ADEQUATE IF LOCAL GOVERNMENTS CONFINE THEMSELVES TO WISE CAPITAL BORROWING AND KEEP A TIGHT REIN ON FINANCES. THIS COULD WELL MEAN MORE INTELLIGENT SUPERVISION FROM THE AUTHORITIES ABOVE.

QUESTION NUMBER 7.

HOW FAR SHOULD WE LOOK IN FINDING NEW SOURCES OF REVENUE? WHAT ABOUT GOVERNMENT RUN LOTTERIES, ANNUAL WEALTH TAX, AND REMOVAL OF PROPERTY TAX EXEMPTIONS TO CHARITABLE ORGANIZATIONS, CHURCHES, AND EDUCATIONAL INSTITUTIONS?

WE SHOULD CONSIDER NEW SOURCES OF REVENUE. HOWEVER, THESE NEW SOURCES MUST BE IN A POSITION TO ACCEPT THE ADDED LIABILITY WITHOUT CONSTITUTING FURTHER INDIRECT TAXATION UPON OTHER BODIES.

1. ANNUAL WEALTH TAX AS A NEW REVENUE DESERVES SOME STUDY, BEARING IN MIND, HOWEVER, IT IS CLOSELY RELATED TO A TAX ON INCOME.

2. REMOVAL OF PROPERTY TAX EXEMPTION IS WITHOUT ANY DOUBT THE POINT THAT WILL, IN THIS INVESTIGATION, RECEIVE THE SAME ATTENTION. IT HAS BECOME A MATTER OF CONCERN THAT VERY VALUABLE PROPERTIES ENJOYING ALL THE USUAL SOCIAL BENEFITS AND AMENITIES SHOULD BE FREE FROM MUNICIPAL TAXATION. THE RESEARCH COMMITTEE OF THE A. A. O. O.

PRESENTED A BRIEF TO A SELECT COMMITTEE OF THE LEGISLATURE UNDER MR. H. BECKETT, M.P.P., AUTHORIZED TO STUDY AND ADVISE ON THE POSSIBLE REVISION OF CERTAIN STATUTES OF ONTARIO. WITH RESPECT TO SECTION 4, OF THE 1960 STATUTES, THE ABOVE BRIEF HAS REQUESTED A COMPLETE REVISION OF ALL EXEMPTIONS THEREIN GRANTED.

IN THIS "NEW ADDED REVENUE PARADE" THE FIRST TO LEAD THE WAY SHOULD BE THE FEDERAL GOVERNMENT. CONSIDER THE CASE OF THE FEDERAL GOVERNMENT OR ITS AGENCY ERECTING A NEW BRIDGE RIGHT IN THE HEART OF A CITY, AT THE COST OF $12 MILLIONS. THIS OPERATION CONSTITUTES A PROFITABLE BUSINESS AT THE CURRENT RATES OF TOLL. YET FOR ALL THIS FINE STRUCTURE AND BUSINESS, THE CITY RECEIVES NOTHING. THE FEDERAL GOVERNMENT ALSO OWNS OTHER STRUCTURES, BUILDINGS, CONVEYERS, RESERVOIRS, ETC., THROUGHOUT THE COUNTRY ON WHICH LITTLE OR NO GRANT IS PAID BY REASON OF THE CLAUSE "NOT A SHELTER FOR PEOPLE" MUNICIPAL GRANTS ACT, 2 - (c)-iii.

ONTARIO HYDRO IS A BIG BUSINESS OPERATOR WHO ALSO ESCAPES WHAT COULD BE TERMED A LEGITIMATE OBLIGATION. THEIR INVESTMENT MAY BE FOR THE GOOD OF THE PUBLIC AND FOR THE BEST INTERESTS OF THE COUNTRY. HOWEVER, AS LONG AS THIS BODY IS EXEMPT FROM TAXATION AND/OR THE PAYMENT OF GRANTS IN LIEU OF TAXES, THEN A PROFITABLE SOURCE OF MUNICIPAL REVENUE IS BEING OVERLOOKED.

WE WOULD RECOMMEND THAT A FULL GRANT BE PAID BY FEDERAL AND PROVINCIAL GOVERNMENTS AND THEIR AGENCIES ON ALL THEIR PROPERTIES ON A BASIS THAT IS MORE LOGICAL AND REASONABLE. ONCE THESE AREAS OF ADDED REVENUE ARE CONSIDERED AND APPROVED AND A FULL GRANT IS PROVIDED FOR, THEN A SECOND STAGE WOULD BE TO CONSIDER NEW TAXATION ON THOSE EXEMPT PROPERTIES WHICH RECEIVE THE SAME SERVICES AND BENEFITS YET ARE NOT TAXED BY VIRTUE OF PUBLIC SYMPATHY OR POPULAR ACCEPTANCE.

REFERRING TO HANSARD, HOUSE OF COMMONS, FEBRUARY 21, 1957, PAGE 1509 TO 1535, THE FEDERAL HOUSE GAVE UNANIMOUS APPROVAL IN FIRST READING TO A BILL DESIGNED TO ASSIST MUNICIPALITIES WITH A FULL GRANT ON CERTAIN PROPERTIES. THIRTEEN MEMBERS SPOKE ON THE MOTION FAVOURABLY WITH NO ONE OBJECTING. ONE MEMBER, MR. L. E. CARDIFF, M. P., FOR HURON, GAVE THESE INTERESTING FIGURES. QUOTING PAGE 1529 ---" IN 1939 THE PERCENTAGE OF THE TAX DOLLAR WAS 35-26-39 BETWEEN FEDERAL-PROVINCIAL AND MUNICIPAL. IN 1949 48-22-30 BETWEEN FEDERAL-PROVINCIAL AND MUNICIPAL. IN 1957, 77-12-11 BETWEEN FEDERAL-PROVINCIAL AND MUNICIPAL."

THE MEMBER ADDED THAT IF THE TREND CONTINUES THE MUNICIPALITY WILL BE A CHARGE ON THE STATE. WELL THE TREND HAS CONTINUED, IT SEEMS, AND IT IS PROVING THAT MUNICIPALITIES ARE LOSING THEIR GRIP ON THEIR AUTONOMY BECAUSE THEY ARE LESS AND LESS INDEPENDENT FINANCIALLY.

THE ONTARIO COMMITTEE ON TAXATION HAS NOTED AT PAGE 2 OF ITS INFORMATION MEMORANDUM, NO. 2, JUNE 1963, SEVERAL "AREAS OF INTEREST" IT WILL BE STUDYING.

ASSESSORS WOULD BE PRIMARILY INTERESTED IN AREA (C) CONCERNING HOW THE ASSESSMENT ACT, AS A REVENUE PRODUCTING STATUTE, ACTUALLY WORKS IN PRACTICE.

THE REVENUE OBTAINED BY THE APPLICATION OF THE ASSESSMENT ACT IS LIMITED IN THE SENSE THAT ASSESSMENT VALUE MAY REMAIN THE SAME, BUT TAXES INCREASE TO SUCH A POINT IT COULD CAUSE A SURRENDER OF THE PROPERTY FOR TAXES OWED. IN OTHER WORDS THE BASE IS NOT READILY ADJUSTABLE, UNLESS THERE IS GROWTH IN THE INDIVIDUAL MUNICIPALITY. THE BASE SHOULD BE BROADENED AND ALTHOUGH THE ASSESSMENT ACT LEAVES SOME ROOM FOR THIS IN THE ASSESSMENT OF MACHINERY AND FIXTURES, THE INTERPRETATION OF WHAT IS ASSESSABLE AND WHAT IS NOT IS SO CONFUSING TO ASSESSORS AND COURTS THAT MANY OF THESE ITEMS ARE MISSED. THE ASSESSMENT ACT SHOULD BE MORE SPECIFIC.

THE BASE FOR THE REVENUE SOURCE IS FAIRLY STABLE AND THE REVENUE IS RECEIVED FROM THOSE WHO ARE ABLE TO PAY ACCORDING TO THEIR ASSETS.

THE COST OF OBTAINING THE REVENUE IS LOW IN COMPARISON TO THE AMOUNT OF REVENUE RECEIVED. A LITTLE MORE MONEY SPENT IN THE IMPROVING OF THE ASSESSMENT ADMINISTRATION COULD RESULT IN BETTER ASSESSMENT PROCEDURE WITH MORE EQUITABLE ASSESSMENTS, MORE ASSESSMENT AND MORE REVENUE AT THE SAME MILL RATE.

THE BASE FOR REAL PROPERTY TAX COULD BE MORE EQUITABLE. OVER THE YEARS STATUTORY EXEMPTIONS HAVE INCREASED CONSIDERABLY RESULTING IN HIGHER TAXES TO OWNERS OF TAXABLE PROPERTY. SECTION 4, OF THE ASSESSMENT ACT, SHOULD BE AMENDED WITH A VIEW TO PLACING IN THE TAXABLE COLUMNS OF THE ASSESSMENT ROLL MANY PROPERTIES THAT ARE NOW EXEMPT FROM TAXATION.

THE TAX ON PERSONS CARRYING ON BUSINESS, COMPUTED BY REFERENCE TO THE ASSESSED VALUE OF THE PREMISES USED FOR BUSINESS PURPOSES, IS A PROPER SOURCE OF REVENUE. THIS TAX IS PASSED ON TO THE CONSUMER AND IS A LEGITIMATE EXPENSE IN BUSINESS. THERE IS CRITICISM THAT THE MEASURE OF THE TAX IS NOT EQUITABLE, AND THAT THE VOLUME OF BUSINESS CARRIED ON IS NOT CONSIDERED. THERE IS SOME TRUTH IN THIS CRITICISM, BUT BY A CONTINUOUS REVIEW AND ADJUSTMENT THE BASE APPEARS TO BE A MORE STABLE ONE THAN THOSE USED IN OTHER ASSESSMENT JURISDICTIONS AND IT IS READILY DETERMINED. THE BRIEF OF THIS ASSOCIATION TO THE SPECIAL LEGISLATIVE COMMITTEE HAS INCLUDED SEVERAL RECOMMENDATIONS FOR THE REVISION OF SECTION 9.

THE EFFECT ON THE REAL PROPERTY TAX ON THE ECONOMY OF A MUNICIPALITY IS TO LIMIT MUNICIPAL SPENDING TO THE AMOUNT OF REVENUE THAT CAN BE REASONABLY RECEIVED FROM REAL PROPERTY AND BUSINESS TAX. IT RESTRICTS COUNCILS FROM USING TAX MONIES FOR MANY PROJECTS, WHICH THOUGH WORTHY IN THEMSELVES, MAY BE TOO EXPENSIVE FOR THE MUNICIPALITY CONCERNED.

A MATTER OF MUCH CONCERN TO ASSESSORS IN THE PROPER APPLICATION OF THE ASSESSMENT ACT IS THE DEGREE TO WHICH SOME COUNCILLORS AND COUNCILS TRY TO INFLUENCE THE ASSESSOR'S JUDGMENT IN THE MAKING OF ASSESSMENTS. THE MUNICIPAL ACT PROVIDES FOR THE APPOINTMENT OF ASSESSORS BUT DOES NOT PREVENT A COUNCIL FROM DISMISSING AN ASSESSOR; WHO IN THE PROPER CARRYING OUT OF HIS DUTIES UNDER THE ASSESSMENT ACT MAY GO AGAINST THE WISHES OF THE COUNCIL BY WHOM HE IS EMPLOYED.

In a great number of municipalities the assessment department could be improved by providing better equipment, assistants where necessary, and legal advice. An understanding of the needs of the department and allowing the freedom in the carrying out of the duties will result in better assessing and more assessment for distributing the tax.

Assessment jurisdictions may have to be altered to achieve better assessment. County, District or Metropolitan Areas could be assessment jurisdictions where full time, properly qualified assessors would determine the assessment. We would not recommend provincial assessment at this time. Independent areas under the advice and counsel of the Assessment Branch of the Department of Municipal Affairs could achieve greater equity in assessment administration and keep the assessment function from becoming too centralized. Those in charge of the areas, or counties or districts, should be appointed or dismissed only by the approval of the Minister of Municipal Affairs.

INTRODUCTORY REMARKS ON THE APPENDIX

Appended to and forming a part of this submission is a copy of a detailed gloss upon The Assessment Act. It has been revised and brought up to-date in view of recent legislation. It was first submitted to the Select Committee on the Municipal and Related Acts of the Province of Ontario.

The Association of Assessing Officers of Ontario was both honoured and pleased with the reception which this submission received from that Committee. An examination of their second interim report will show that in essence and in principle the Committee had recourse to many of the objections and recommendations made by the Assessing Officers.

It is appended hereto, in order to afford the Ontario Committee on Taxation, a draft upon which perhaps a better Assessment Act might be made up and as an indication of the Assessors' thinking concerning assessment in Ontario, and what revision might be made or recommended to the Legislature.

The Association has not broken new ground or introduced any new departures, but rather has given recommendations upon the existing framework and how it can be implemented. Should any new ground be broken then it is their belief that the framers of the recommendation will and should give a lead as to how this could be best implemented.

THE ASSESSMENT ACT

R. S. O. 1960, CHAPTER 23

PROPOSED REVISIONS AND AMENDMENTS AS SUGGESTED BY

THE RESEARCH COMMITTEE

OF

THE ASSOCIATION OF ASSESSING OFFICERS OF ONTARIO

SECTION 1 - INTERPRETATIONS

IN THE PROVINCE OF ONTARIO ASSESSORS ARE APPOINTED BY COUNCILS OF MUNICIPAL CORPORATIONS BY AUTHORITY OF THE MUNICIPAL ACT. THE ASSESSORS MAKE ASSESSMENTS BY AUTHORITY OF THE ASSESSMENT ACT. THE MUNICIPAL COUNCILS LEVY TAXES ON EVERY PERSON SO ASSESSED BY AUTHORITY OF THE MUNICIPAL ACT AND THE ASSESSMENT ACT. THESE AND OTHER PROVINCIAL STATUTES ARE MADE UP OF WORDS WHICH SEEK TO CONVEY THE INTENTION OF THE LEGISLATURE WHICH ENACTED THEM. SINCE THE SAME WORD MAY CONVEY DIFFERENT MEANINGS TO DIFFERENT PERSONS VARIOUS MEANS HAVE BEEN USED TO LIMIT OR TO DEFINE OR CLARIFY THE MEANING OF THE WORDS USED IN THE STATUTES.

THE ASSESSOR HAS AS A GUIDE IN THE INTERPRETATION OF THE ASSESSMENT ACT SECTION 1 OF THE SAID ACT, KNOWN AS THE "INTERPRETATION SECTION" WHICH IS MADE UP OF OVER TWENTY WORDS OR PHRASES. THE ASSESSOR HAS AS OTHER AIDS IN THE INTERPRETATION OF THE ASSESSMENT ACT, THE INTERPRETATION SECTIONS IN OTHER STATUTES, E.G. THE MUNICIPAL ACT, THE JUDICATURE ACT, AND THE INTERPRETATION ACT. THE ASSESSOR HAS FURTHER AID IN INTERPRETATION OF THE ASSESSMENT ACT IN THE DECISIONS OF COUNTY JUDGES OR THE ONTARIO MUNICIPAL BOARD ON ASSESSMENT APPEALS, AND IN DECISIONS OF APPEAL COURT JUDGES WHICH DEFINE OR CLARIFY WORDS AND PHRASES AND ESTABLISH GENERAL PRINCIPLES GOVERNING THE CONSTRUCTION OF STATUTES.

SINCE ASSESSORS GENERALLY DO NOT HAVE EASY ACCESS TO ALL OF THESE AIDS A PROPER INTERPRETATION OF THE ASSESSMENT ACT IN THE INTERPRETATION SECTION IS CONSIDERED ADVISABLE. IN THE PRESENT ACT CERTAIN INTERPRETATIONS OR DEFINITIONS ARE SCATTERED THROUGH THE ACT E.G. "WOODLANDS" IS DEFINED IN SECTION 35 (17), "FARM" IS DEFINED IN SECTION 24, "ROOMING HOUSE" IS DEFINED IN SECTION 9 (11) (A). "TENANT", "RESIDENCE" AND "RENT" ARE DEFINED IN SECTION 34 (1) (A) (I, II, III). SOME DEFINITIONS MAY APPLY TO EVERY SECTION OF THE ASSESSMENT ACT, SOME APPEAR TO BE PROPERLY RESTRICTED TO ONE SECTION.

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INTERPRETATIONS OF WORDS AND PHRASES SHOULD APPEAR IN SECTION 1. HOWEVER WHEN THIS IS NOT EXPEDIENT, CROSS REFERENCES SHOULD BE MADE BETWEEN SECTION 1 AND THE SPECIFIC SECTION. IT IS SUGGESTED THAT ALL INTERPRETATIONS SHOULD BE PREPARED ALPHABETICALLY. WORDS AND PHRASES RECOMMENDED FOR INCLUSION IN THE ASSESSMENT ACT ARE:

1. AGENT - A PERSON WHO HAS AUTHORITY, EXPRESS OR IMPLIED, TO ACT ON BEHALF OF ANOTHER CALLED THE PRINCIPAL AND CONSENTS TO DO SO.

2. ASSESSOR - A STATUTORY OFFICER OF THE MUNICIPALITY WHO DETERMINES THE VALUE OF PROPERTY FOR RATING PURPOSES AND WHO PERFORMS THE OTHER DUTIES PRESCRIBED BY STATUTE AND/OR COUNCIL.

3. CHIEF OR PREPONDERATING BUSINESS REQUIRES DEFINITION AS TO AMOUNT OF PROPERTY OCCUPIED OR TO INCOME DERIVED BUT NOT BOTH.

4. CONTRACTOR - ONE WHO GENERALLY CONTRACTS TO ERECT OR CONSTRUCT FOR A STIPULATED SUM.
SEE ALSO SECTION 9, SUBSECTION (5).

5. COUNTY JUDGE AND JUDGE OF THE COUNTY COURT SHOULD REQUIRE ONLY ONE DEFINITION.

6. FARMER - IS A PERSON WHOSE PRINCIPAL OCCUPATION IS THE TILLING OF THE SOIL, OR THE RAISING OF FRUITS, VEGETABLES, LIVESTOCK OR POULTRY, OR MILK, EGGS, HONEY OR OTHER AGRICULTURAL PRODUCTS AND FROM WHICH HE NORMALLY DRIVES THE MAIN SOURCE OF HIS LIVELIHOOD.

7. FORESTRY PURPOSES SHALL INCLUDE "FARMER'S WOODLOT", SECTION 4 (18).

8. JURORS' LIST

QUALIFICATION FOR JUROR. SEE JURORS' ACT, CHAPTER 199, SECTION 2, 3, 4, 5, AND 6.

SELECTION OF JURORS - SEE JURORS' ACT, CHAPTER 199, SECTIONS 17 TO 25.

9. LAND USED AS A FARM MEANS LAND USED FOR REGULAR CULTIVATION, GRAZING OR OTHER AGRICULTURAL PURPOSES, INCLUDING THE GROWING OF ANY KIND OF CROP, HAY, GRAIN, TOBACCO, FLOWERS, SHRUBS, AND TREES, OR FOR RAISING ANY KIND OF POULTRY OR LIVESTOCK, OR FOR PRODUCING MILK, EGGS, HONEY, OR ANY PRODUCT FROM ANIMALS OR POULTRY.

*CONTINUED

BUT NOT INCLUDING THE LAND ACTUALLY USED FOR:

(A) PRODUCTION OF QUEEN BEES,

(B) HATCHING BY INCUBATION, CHICKS OR YOUNG OF ANY KIND OF POULTRY AND TO INCLUDE BROILER STATIONS OR OTHER PLANTS OF A SIMILAR NATURE.

(C) RAISING ANIMALS OR BIRDS FOR USE OR SALE AS PETS OR FOR SPORT.

(D) PRODUCTION OR SALE OF CUT FLOWERS AND FLORISTS' SUPPLIES.

ANY PART OF A FARM OR MARKET GARDEN OR NURSERY SHALL BE SEPARATELY ASSESSED THAT CAN BE CLASSIFIED AS A RETAIL OR WHOLESALE OUTLET OR AS A MANUFACTURING OR PROCESSING PLANT, WHETHER THE PRODUCT IS PRODUCED BY THE OPERATOR OR PURCHASED FROM OTHERS.

10. LAND USED IN CONNECTION WITH MEANS ANY LAND USED FOR THE PURPOSE OF, CONNECTED OR OTHERWISE.

11. LOCALITY MEANS ADJOINING, CONTIGUOUS, NEIGHBOURING AND/OR VICINITY WITHIN A PARTICULAR MUNICIPALITY.

12. MACHINERY - SUBSECTION (1) CLAUSE (IV) RE "MACHINERY". ALL MACHINERY IS INTERPRETED AS BEING ASSESSABLE. SECTION 4, SUBSECTION (17) STATES THE TYPE OF MACHINERY WHICH IS EXEMPT FROM TAXATION. THIS SUBSECTION THEN GOES ON TO STATE SOME TYPES OF MACHINERY WHICH ARE NOT EXEMPT FROM TAXATION, BUT GIVES NO INTIMATIONS IF THESE TYPES OF MACHINERY ARE THE ONLY ONES TO BE TAXED. IT APPEARS AT PRESENT THAT ASSESSORS COULD ASSESS AS RATEABLE PROPERTY SUCH MACHINERY AS PRINTING PRESSES, OR ANY TYPE OF MACHINERY NOT USED FOR MANUFACTURING OR FARM PURPOSES. SECTION 43, SUBSECTION (10) RE PUBLIC UTILITIES STATES, "THERE SHALL BE NO ASSESSMENT OF MACHINERY WHETHER FIXED OR NOT, ETC." QUESTION - WHY, THEREFORE, IS IT LEFT OPEN TO ASSESS PRIVATELY OWNED MACHINERY, ETC? THIS SHOULD BE CLARIFIED AND BROUGHT UP TO DATE AND REWORDED SO THERE IS NO AMBIGUITY OR CONFLICT WITH WORDING OF OTHER SECTIONS OF THE ASSESSMENT ACT.

MACHINERY SHOULD BE DEFINED.
ASSESSABLE AND NONASSESSABLE MACHINERY SHOULD BE CLARIFIED. SEE SECTION 4 (17) AND SECTION 20 (3).

13. MANUFACTURER - SHALL INCLUDE A PERSON CARRYING ON THE BUSINESS OF MANUFACTURING, ASSEMBLING, PROCESSING, QUARRYING, REFINING OR BLENDING.

14. OCCUPANT - IS A PERSON IN ACTUAL POSSESSION AND CONTROL OF THE PREMISES OCCUPIED BY HIM AND/OR COMPANY WITH OTHERS.

*CONTINUED

15. OWNER - SHOULD BE INTERPRETED FOR ASSESSMENT PURPOSES, AND TO INCLUDE A PERSON WITH LIFE LEASE WHO SHALL BE DEEMED TO BE THE OWNER AND BRACKETED WITH THE OWNER.

WHEN OCCUPANT DEEMED TO BE OWNER. SEE MUNICIPAL ACT, SECTION 4 (A) (B). SHOULD BE PLACED IN SECTION 1 OF THE ASSESSMENT ACT.

16. PUBLIC FUNDS - MONIES PROVIDED FROM THE TREASURIES OF FEDERAL OR PROVINCIAL GOVERNMENTS.

17. RESIDENCE - A PERSON'S CHIEF PLACE OF ABODE. SEE SECTION 20 (1) (6) AND SECTION 34 (1) (A) (11).

18. RETAIL MERCHANT - MEANS ONE WHO DEALS DIRECTLY WITH THE CONSUMER.

19. TENANT - INCLUDES OCCUPANT AND PERSON IN POSSESSION OTHER THAN THE OWNER AND THE HUSBAND IF RESIDENT SHALL BE THE TENANT.

FOR SCHOOL PURPOSES THE HUSBAND SHALL BE THE TENANT.

FARMER'S SON IF OCCUPYING OWN LIVING QUARTERS SHALL BE ENTERED ON THE ROLL AS TENANT. SECTION 24 TO BE AMENDED AS ABOVE.

20. VOTERS' LIST - ADD TO SUBSECTION (T).

QUALIFICATION FOR MUNICIPAL ELECTOR, SEE MUNICIPAL ACT, CHAP. 249, SECTIONS 34 TO 38.

21. WHOLESALE MERCHANT - MEANS ONE WHO DEALS PRIMARILY WITH PERSONS WHO BUY TO SELL AGAIN.

CROSS REFERENCES

PUBLIC SCHOOL ACT CHAPTER 330

EQUALIZATION OF UNION SECTIONS, SECTIONS 43 & 55.

SEPARATE SCHOOLS ACT CHAPTER 368

QUALIFICATION SEC. 47, 48, 49, 50, 51, 52, AND 57.

CHANGE OF SUPPORT 53 AND 54.

CORRECTION OF ERROR IN TAX 55

CORPORATION SCHOOL SUPPORT 58

*CONTINUED

ADD TO END OF ASSESSMENT ACT INTERPRETATION SECTION

THE FOLLOWING ACTS SHOULD BE REFERRED TO FOR FURTHER INTERPRETATIONS OF THE STATUTES:

INTERPRETATION ACT, CHAPTER 191 R.S.O. 1960 SEC. 26, 27, 30, 31 AND 32.

JUDICATURE ACT, INTERPRETATION SECTION, CHAPTER 197, SEC. (1) R.S.O. 1960.

MUNICIPAL ACT, INTERPRETATION SECTION, CHAPTER 249, SEC. (1) R.S.O. 1960.

SECTIONS 2 - 3 NO CHANGE

COMMENTS

THE ABOVE SECTIONS PERTAIN TO TAXATION AND SHOULD BE SUBSECTIONS 1 AND 2 OF SECTION 105 (WHO LIABLE FOR TAXES).

SECTION 4

ALL REAL PROPERTY IN ONTARIO SHALL BE LIABLE TO ASSESSMENT AND TAXATION, SUBJECT TO THE FOLLOWING EXEMPTIONS FROM TAXATION.

COMMENTS

THERE SHOULD BE NO EXEMPTIONS. IT SHOULD NOT MATTER WHETHER IT IS AN ORGANIZATION, CHURCH, SCHOOL, DOMINION, PROVINCIAL, MUNICIPAL PROPERTY, HOSPITAL, CEMETERY, IN FACT, NOTHING THAT IS NOW BEING EXEMPTED BY STATUTE SHOULD BE LEFT TO THE MERCY OF A CENTRALIZED BODY SUCH AS THE ONTARIO LEGISLATURE TO ALLOW EXEMPTIONS, BUT EVERY EXEMPTION SHOULD BE TREATED ON ITS INDIVIDUAL MERIT.

AS STATED BY LORD HALSBURY IN "THE COMMISSIONERS FOR SPECIAL PURPOSES OF THE INCOME TAX V PEMBEL" (1891) AC 531 & 551 THAT "THERE IS NO PURPOSE IN A TAXING ACT BUT TO RAISE MONEY AND AN EXEMPTION IS JUST AS MUCH WITHIN THE CRITICISM AS ANY OTHER PART OF THE ACT, SINCE EVERY EXEMPTION THROWS AN ADDITIONAL BURDEN ON THE REST OF THE COMMUNITY."

WE AGREE WITH THIS STATEMENT ESPECIALLY THE PART WHERE HE STATES, "SINCE EVERY EXEMPTION THROWS AN ADDITIONAL BURDEN ON THE REST OF THE COMMUNITY."

SECTION 4 OF OUR ASSESSMENT ACT HAS BECOME LONG, CONFUSING AND INEQUITABLE. WE ARE STRONGLY OF THE OPINION THAT IF THE EXEMPTION SECTION WERE TO BE COMPLETELY TAKEN OUT OF THE ASSESSMENT ACT THERE WOULD BE A GREAT DEAL MORE EQUITY THAN WE HAVE AT PRESENT.

*CONTINUED

It is amazing to examine an Assessment Act of 1920 and today's and see the lengthy list of exemptions that have been placed upon the statutes since that time and while it is agreed the assessor has no jurisdiction appertaining to the tax dollar, nevertheless he has a prime duty to perform in making an equitable and uniform assessment on which our municipal tax structures are based.

We recommend complete removal of all exemptions from the Assessment Act and other chapters of the Revised Statutes of Ontario 1960, but as an alternative to this would suggest the following amendments to Section 4.

s.s. (1) (2) (3) (4) (5) (6) (7) No change.

s.s. (8)

Comment

Should be amended.

We believe only the land actually used for highway purposes, etc., should be exempt; the balance should be assessed and taxable. Toll roads, toll bridges and tunnels should be assessed and taxable in their entirety.

s.s. (9) No change.

s.s. (10) Delete.

Comment

Delete this section.

These should be taxable. We are not belittling the work they do but they should pay taxes the same as other organizations.

s.s. (11) Delete

s.s. (12) (13) (14) (15) No change.

s.s. (16) (17) (18) Delete.

SECTIONS 5, 6 & 7 Delete

SECTION 8 This section unnecessary if Section 4 is removed, but otherwise no change.

SECTION 9 The Research Committee of the Association of Assessing Officers of Ontario, in particular has been studying Section 9 pertaining to "business assessment" with the thought in mind that its suggestions for amending Section 9 would result in greater equity and easier application.

*continued

SECTION 9 (CONTINUED)

ALTERNATIVE METHODS SUCH AS GROSS RECEIPTS OR ANNUAL RENTALS WERE STUDIED. CONSIDERABLE DATA WAS OBTAINED FROM VARIOUS MUNICIPALITIES TO FURTHER THIS RESEARCH. FROM A COMPILATION OF THE RESULTS THERE DID NOT SEEM TO BE TOO MUCH EQUITY, AND THEIR APPLICATION WOULD APPEAR TO BE TOO CUMBERSOME AND/OR TOO COSTLY FOR PRACTICAL APPLICATION; THE COMMITTEE, HOWEVER, FELT THAT FURTHER RESEARCH COULD BE CARRIED OUT.

WE ARE VERY MUCH AWARE THAT OTHER BODIES AS WELL AS OURSELVES HAVE BEEN STUDYING SOME ALTERNATIVE METHOD OF APPLYING BUSINESS ASSESSMENT FROM AS FAR BACK AS THE YEAR 1950 AND IT WOULD APPEAR THAT THIS RESEARCH WOULD OF NECESSITY GO ON TO SOME FUTURE INDEFINITE DATE; THEREFORE, THE COMMITTEE AT THE PRESENT WOULD RESPECTFULLY RECOMMEND THE AMENDING OF SECTION 9 TO REMOVE WHAT IT CONSIDERS TO BE OBJECTIONABLE FEATURES AND TO BRING THE SECTION MORE IN LINE WITH PRESENT DAY THINKING ON BUSINESS ASSESSMENT.

ONE SUGGESTION WE WOULD LIKE TO STRESS IS THAT, IN OUR OPINION, IF AMENDMENTS TO THE PRESENT SECTION ARE CONSIDERED, ALL THE VARIOUS TYPES OF BUSINESS SHOULD BE LISTED ALPHABETICALLY WITH THE PERCENTAGES TO BE USED. THIS WOULD BE OF INESTIMABLE VALUE TO BOTH NEW ASSESSORS AND THOSE WHO HAVE HAD SOME YEARS OF EXPERIENCE.

THE FOLLOWING SUGGESTIONS ARE SUBMITTED FOR YOUR CONSIDERATION:

SUBSECTION 1 THIS SUBSECTION AND SUBSECTION 14 SHOULD BE COMBINED:

REASON: TO STRESS THE EFFECT OF GENERAL WORDS IN THE APPLICATION OF THE SECTION.

CLAUSE (A) DELETE.

REASON: DISTILLER TO BE DEFINED FOR ALL PURPOSES AS A MANUFACTURER; COULD SEE NO REASON WHY THE PERCENTAGE SHOULD BE HIGHER THAN OTHER MANUFACTURERS.

CLAUSE (B) DELETE.

REASON: BREWER TO BE DEFINED FOR ALL PURPOSES AS A MANUFACTURER; SAME REASONING AS PERTAINS TO CLAUSE (A).

CLAUSE (C) DELETE WORDS, "WHOLESALE MERCHANT, EXPRESS COMPANY CARRYING ON BUSINESS ON OR IN CONNECTION WITH A RAILWAY OR STEAMBOATS OR SAILING OR OTHER VESSELS."

REASON: WHOLESALE MERCHANTS ARE IN SAME CATEGORY AS MANUFACTURERS WHOLESALING TO RETAILERS; THEREFORE, SHOULD BE 60%. EXPRESS COMPANY SHOULD BE CLASSIFIED AS A COMMERCIAL BUSINESS RATHER THAN PRIMARILY FINANCIAL.

*CONTINUED

SECTION 9 (CONTINUED)

ADD - INVESTMENT BROKER AND STOCK BROKER.

REASON: THESE ARE FINANCIAL ENTERPRISES AND SHOULD BE INCLUDED IN CLAUSE (c).

CLAUSE (D) CHANGE PERCENTAGE IN THIS CLAUSE TO READ 60% AND ADD WHOLESALE MERCHANTS.

REASON: DISTRIBUTORS AND WHOLESALERS ARE SIMILAR TYPE OPERATIONS. MANUFACTURERS WHOLESALING OWN GOODS TO RETAILERS ARE AT 60%; THEREFORE, FEEL DISTRIBUTORS AND WHOLESALERS SHOULD ALSO BE AT 60%.

CLAUSE (E) DELETE WORDS, "AND A MANUFACTURER SHALL NOT BE LIABLE TO BUSINESS ASSESSMENT AS A WHOLESALE MERCHANT BY REASON OF HIS CARRYING ON THE BUSINESS OF SELLING BY WHOLESALE THE GOODS OF HIS OWN MANUFACTURE ON SUCH LAND."

REASON: WHOLESALERS ARE RECOMMENDED TO BE 60% SAME AS MANUFACTURER; THEREFORE, NO LONGER NEED OF ABOVE WORDING.

INTERPRETATION - MANUFACTURER FOR THE PURPOSE OF THIS CLAUSE SHALL INCLUDE PROCESSOR, ASSEMBLER, IRON WORKS, ROLLING MILLS, WORKS FOR REFINING OR SMELTING ORES, BEET SUGAR FACTORY, CANNING FACTORY, TOBACCO DRIER AND A FERTILIZING PLANT.

CLAUSE (F) SEMICOLON AFTER WORDS, "DEPARTMENTAL STORE" IN SECOND LINE. DELETE WORDING IN SEVENTH LINE, "OR OF A RETAIL COAL OR FUEL OIL OR WOOD OR LUMBER DEALER". DELETE WORDING IN NINTH LINE, "EXCEPT THE PUBLISHER OF A NEWSPAPER". DELETE ALL WORDS BEGINNING ON TENTH LINE, "BUT IN CITIES HAVING A POPULATION OF NOT LESS THAN 100,000 RETAIL COAL OR FUEL OIL DEALERS SHALL BE ASSESSED FOR A SUM EQUAL TO 30% OF THE ASSESSED VALUE."

REASON: SEMICOLON TO DISTINGUISH BETWEEN DEPARTMENTAL STORE AND A RETAIL MERCHANT DEALING IN 5 LINES ASSESSED OVER $20,000. NO REASON FOR DEPARTMENT STORE TO BE ASSESSED OVER $20,000 AS SOME NOW INTERPRET THE CLAUSE. RETAIL COAL, FUEL OIL, ETC. TO BE CLASSED AS RETAIL MERCHANTS UNDER CLAUSE (I).

ADD - RADIO STATION, T.V. STATION, BILLBOARDS AND EXPRESS COMPANY.

REASON: THESE PERTAIN TO THE MEDIUM OF ADVERTISING THE SAME AS NEWSPAPER PUBLISHERS. EXPRESS COMPANY CLASSED AS A COMMERCIAL BUSINESS.

*CONTINUED

SECTION 9 (CONTINUED)

CLAUSE (G) DELETE ALL WORDING STARTING ON THE 12TH LINE, "BUT WHERE A PERSON BELONGING TO ANY CLASS MENTIONED IN THIS CLAUSE OCCUPIES OR USES LAND PARTLY FOR THE PURPOSES OF HIS BUSINESS AND PARTLY AS A RESIDENCE, 30% OF THE ASSESSED VALUE OF THE LAND OCCUPIED OR USED BY HIM SHALL FOR THE PURPOSE OF BUSINESS ASSESSMENT BE TAKEN TO BE THE FULL ASSESSED VALUE OF THE LAND SO OCCUPIED OR USED.

REASON: THIS IS TAKEN CARE OF IN SUBSECTION 9 OF SECTION 9. ASSESSORS ON THE WHOLE FEEL THAT A BREAKDOWN OF THE PROPERTY IS FAR MORE EQUITABLE THAN THIS ARBITRARY COMPUTATION OF BUSINESS ASSESSMENT.

ADD - PUBLIC BAILIFF, CONSULTANT, CHIROPODIST, DENTAL MECHANIC OR TECHNICIAN, CHEMICAL OR DESIGNING ENGINEER, EMBALMER, FACTOR, FUNERAL DIRECTOR OR UNDERTAKER, METALLURGIST, OPTOMETRIST, OPTICIAN OR OPTOLOGIST, PHYSICIST, PHYSCHOLOGIST, X-RAY TECHNICIAN, MAIL ORDER OFFICE, ALL PERSONS REGISTERED UNDER MEDICAL PRACTITIONERS ACT OR THE DRUGLESS PRACTITIONERS ACT, THE DENTISTRY ACT.

CLAUSE (H) DELETE

REASON: PLACED IN CLAUSE (F) COMPARABLE TO PUBLISHER.

CLAUSE (I) NEW CLAUSE -- RETAIL MERCHANTS IN ALL CLASSES OF MUNICIPALITIES BE 30%.

REASON: WITH THE REASSESSMENT PROGRAMMES BEING CARRIED ON THROUGHOUT THE PROVINCE IN RECENT YEARS THERE IS NO LOGICAL REASON FOR ANY DIFFERENTIATION IN RATES.

CLAUSE (J) CHANGE RATE TO 30% TO CONFORM TO CLAUSE (I).

CLAUSE (K) CHANGE RATE TO 30%.

REASON: COMPARABLE TO RETAIL MERCHANT RATING.

CLAUSE (L) CHANGE TO 30%, REASONS AS ABOVE.

CLAUSE (M) CHANGE TO 30% - DELETE SUB CLAUSE (I).

REASON: SUPERVISED CAR PARKING TODAY IS BIG BUSINESS. NO REASON WHY THEY SHOULD NOT BE IN SAME RATING AS RETAIL MERCHANT. DELETE SUB CLAUSE (I) AS NO DEFINITION REQUIRED.

CLAUSE (N) CHANGE PERCENTAGE TO 30%. ADD CLUBS, COMMERCIAL FLORISTS, COLD STORAGE PLANTS, TRUCKERS, COMMON CARRIERS, PUBLIC GARAGES, REPAIR AND MACHINE SHOPS, DANCE HALLS, DANCE AND MUSIC STUDIOS, CHOPPING MILLS, BARBERS, BEAUTY PARLOURS, HAIR DRESSERS, SERVICE STATIONS, ROOMING HOUSES, BILLIARD HALLS, BOWLING ALLEY, BUSINESS COLLEGE, COMMERCIAL FISHERY, EGG GRADING STATION, LAUNDRY, MUSIC TEACHERS, SKATING RINK, SHOE REPAIR, AND DROVERS.

REASON: SELLING SERVICE COMPARABLE TO SELLING MERCHANDISE.

*CONTINUED

SECTION 9 (CONTINUED)

SUBSECTION (2) EMPLOYEES PARKING LOT, NO CHANGE.

SUBSECTION (3) MANUFACTURER CARRYING ON BUSINESS OF TRANSPORTATION. NO CHANGE.

SUBSECTION (4) DELETE

REASON: ALL CLUBS SPECIFIED AT 30% IN CLAUSE (N).

SUBSECTION (5) DELETE - REWRITE.

"WHERE ANY PERSON CARRIES ON MORE THAN ONE TYPE OF BUSINESS ON THE SAME PREMISES, THE PROPERTY, FOR BUSINESS ASSESSMENT PURPOSES SHALL BE BROKEN DOWN AND EACH PORTION SHALL BE ASSESSED BUSINESS ASSESSMENT AT THE RATE APPLICABLE TO THAT PARTICULAR TYPE OF BUSINESS.

REASON: TOO MUCH MISREPRESENTATION AND DIFFICULTY OF APPLYING UNDER PRESENT WORDING. IT IS NOTED "CHIEF OR PREPONDERATING BUSINESS" HAS BEEN DELETED FROM THE ABOVE READING. IF THIS IS TO REMAIN IN THE ACT, INTERPRETATION IS REQUIRED AS SHOWN IN ITEMS 3 SECTION 1.

SUBSECTION (6) NO CHANGE.

SUBSECTION (7) DELETE.

REASON: PUBLIC GARAGES AND CAR PARKS BOTH LIABLE FOR 30% UNDER CLAUSES (L) AND (N) AS PER PROPOSED REVISION.

SUBSECTION (8) REVISE. $200.00 MINIMUM.

REASON: WITH THE REASSESSMENT PROGRAMMES BEING CARRIED OUT THROUGHOUT THE PROVINCE $100.00 MINIMUM IS NOT REALISTIC AND DOES NOT PAY FOR SENDING OUT TAX BILL AS MOST REASSESSMENTS HAVE RESULTED IN AT LEAST A 75% TO 100% INCREASE IN OVERALL ASSESSMENT.

SUBSECTION (9) DELETE WORDING STARTING ON 5TH LINE, "BUT THIS PROVISION SHALL NOT APPLY TO PERSONS ASSESSED UNDER CLAUSE (G) OF SUBSECTION (1)."

SUBSECTION (10) NO CHANGE.

SUBSECTION (11) AND (A) NEEDS AMENDMENT AND CLARIFICATION.

SUBSECTIONS (12) & (13) NO CHANGE.

SUBSECTION (14) INCLUDE WITH SUBSECTION (1) AS SUGGESTED.

N.B. THESE SUGGESTED AMENDMENTS WOULD CUT DOWN THE VARIOUS PERCENTAGES TO FOUR ONLY; NAMELY, 30% -- 50% -- 60% AND 75%.

*CONTINUED

SUBSECTION (14) CONTINUED

THE SUGGESTED DELETIONS AND ADDITIONS WOULD GO FAR IN ASSISTING THE AVERAGE ASSESSOR IN THE APPLICATION OF THIS SECTION.

SECTION 10

s.s. (1) AMEND TO READ AS FOLLOWS:

EVERY TELEPHONE COMPANY CARRYING ON BUSINESS IN A CITY, TOWN, VILLAGE, TOWNSHIP OR POLICE VILLAGE, IN ADDITION TO ANY OTHER ASSESSMENT TO WHICH IT MAY BE LIABLE UNDER THIS ACT, SHALL BE ASSESSED FOR 60 PER CENT OF THE AMOUNT OF THE GROSS RECEIPTS FROM ALL TELEPHONE AND OTHER EQUIPMENT BELONGING TO THE COMPANY LOCATED WITHIN THE MUNICIPAL LIMITS OF THE CITY, TOWN, VILLAGE, TOWNSHIP OR POLICE VILLAGE, FOR THE YEAR ENDING ON THE 31ST DAY OF DECEMBER NEXT PRECEDING THE ASSESSMENT.

s.s. (2) NO CHANGE.

s.s. (3) (4)(5) (6) DELETE.

COMMENTS ALL ASSESSMENT OF TELEPHONE COMPANIES SHOULD BE ON GROSS RECEIPTS.

s.s. (7) AMEND TO READ AS FOLLOWS:

EVERY TELEGRAPH COMPANY CARRYING ON BUSINESS IN A CITY, TOWN, VILLAGE, TOWNSHIP OR POLICE VILLAGE, IN ADDITION TO ANY OTHER ASSESSMENT TO WHICH IT MAY BE LIABLE UNDER THIS ACT, SHALL BE ASSESSED FOR 60 PER CENT OF THE AMOUNT OF THE GROSS RECEIPTS BELONGING TO THE COMPANY IN SUCH CITY, TOWN, VILLAGE, TOWNSHIP OR POLICE VILLAGE FROM THE BUSINESS OF THE COMPANY FOR THE YEAR ENDING ON THE 31ST DAY OF DECEMBER NEXT PRECEDING THE ASSESSMENT.

s.s. (8) (9) (10) (11) (12) DELETE.

s.s. (13) NO CHANGE.

s.s. (14) DELETE

s.s. (15) NO CHANGE.

SECTION 11

s.s. (1) NO CHANGE.

s.s. (2) DELETE

SECTION 12 DELETE - NOT NECESSARY IF GROSS RECEIPTS BASIS OF ASSESSMENT.

SECTION 13 AMEND TO READ AS FOLLOWS:-

NOTWITHSTANDING THE PROVISIONS OF THIS OR ANY OTHER GENERAL OR SPECIAL ACT, THE TOTAL AMOUNT OF THE TAXES AND RATES LEVIED AND IMPOSED IN ANY YEAR IN RESPECT OF THE GROSS RECEIPTS OF A TELEPHONE OR TELEGRAPH COMPANY IN A MUNICIPALITY SHALL NOT EXCEED AN AMOUNT EQUAL TO 5 PER CENT OF THE TOTAL OF THE GROSS RECEIPTS OF THE COMPANY FROM ITS BUSINESS IN THE MUNICIPALITY FOR THE YEAR ENDING ON THE 31ST DAY OF DECEMBER NEXT PRECEDING THE ASSESSMENT, AND THE EFFECT OF SUCH LIMITATION SHALL BE THE RESPONSIBILITY OF THE MUNICIPALITY AND CHARGED BACK A PROPORTIONATE SHARE THEREOF TO EVERY SUCH BODY FOR WHICH THE COUNCIL IS REQUIRED BY LAW TO LEVY AND IMPOSE TAXES AND RATES.

SECTION 14

s.s. (1) NO CHANGE.

ADD (1A) AT THE END OF S.S. (1) AS FOLLOWS:

"FOR THE PURPOSE OF THIS SECTION THE DOMINANT TENEMENT SHALL BE THE LAND RECEIVING BENEFIT AND THE SERVIENT TENEMENT SHALL BE THE LAND GRANTING SUCH BENEFIT."

s.s. (2) (3) (4) NO CHANGE.

NEW s.s. (5) -- USUFRUCTORY RIGHTS ESPECIALLY REGARDING WATER AND THE RIGHTS OF A USER.

SECTION 15

s.s. (1) (2) CONDENSE TO ONE SUBSECTION WITH AMENDMENT TO READ AS FOLLOWS:

WHERE LAND SOLD FOR ARREARS OF TAXES WAS A DOMINANT OR SERVIENT TENEMENT AT THE TIME OF THE SALE AND WAS SOLD AFTER THE 3RD DAY OF APRIL, 1930, THE EASEMENTS APPURTENANT THERETO, OR TO WHICH THE LAND WAS SUBJECT SHALL BE DEEMED TO HAVE PASSED TO THE PURCHASER AND NOT AFFECTED BY THE SALE.

s.s. (3) (4) NO CHANGE.

SECTION 16

s.s. (1) NO CHANGE.

s.s. (2) AMEND TO READ AS FOLLOWS:

*CONTINUED

SECTION 16

s.s. (2) CONTINUED

EVERY ADULT PERSON PRESENT ON LAND WHEN ANY PERSON REFERRED TO IN SUBSECTION (1) VISITS THE LAND IN THE PERFORMANCE OF HIS DUTIES SHALL UPON REQUEST GIVE TO SUCH PERSON ALL THE INFORMATION IN HIS KNOWLEDGE THAT WILL ASSIST SUCH PERSON TO MAKE A PROPER ASSESSMENT OF THE LAND AND EVERY BUILDING, STRUCTURE, MACHINERY, AND FIXTURE ERECTED OR PLACED UPON, IN, OVER, UNDER OR AFFIXED TO THE LAND, INCLUDING ACTUAL COSTS AND RENTAL OPERATIONAL STATEMENTS, TO MAKE A PROPER BUSINESS ASSESSMENT IN RESPECT THEREOF, AND TO OBTAIN THE INFORMATION HE REQUIRES WITH RESPECT TO ANY PERSON WHOSE NAME HE IS REQUIRED TO ENTER ON THE ASSESSMENT ROLL OR IN THE CENSUS REGISTER.

SECTION 17

s.s. (1) (2) (3) No change.

COMMENT INFORMATION PERTAINING TO COMPONENTS OF A BUILDING SHOULD BE INSPECTED BY THE ASSESSOR, NOT AS PER FORM 1 QUESTIONNAIRE A. A BUILDING CANNOT BE PROPERLY VALUED FOR ASSESSMENT PURPOSES UNLESS THE ASSESSOR HAS SEEN FOR HIMSELF BOTH INSIDE AND OUTSIDE EACH BUILDING.

QUESTIONNAIRE G SHOULD BE AMENDED BY ADDING A FOURTH ITEM REQUESTING THAT IN THE CASE OF A TENANT THE AMOUNT OF ANNUAL RENT PAID.

SECTIONS 18 & 19 No change.

SECTION 20

s.s. (1) 1. & 1. No change.

s.s. (1) 3. Delete

s.s. (1) 4. No change.

s.s. (1) 5. Amend as follows:

WHERE PART OF A SUBDIVISION LOT, IN A MUNICIPALITY, IS TO BE ASSESSED IT SHALL BE A SUFFICIENT DESCRIPTION OF IT IF THE NAME OF THE OWNER AND THE TENANT, IF ANY, AND THE NUMBER OF FEET OF ITS FRONTAGE, THE NUMBER OF FEET OF ITS DEPTH, ARE ENTERED ON THE ASSESSMENT ROLL, AND THE PART ASSESSED SHALL BE DEEMED TO BE THAT PART OF THE LOT SO DESCRIBED AS BELONGING TO THE OWNER WHOSE NAME IS ENTERED.

s.s. (1) 6. 7. & 8. No change.

*CONTINUED

SECTION 20 (CONTINUED)

s.s. (1) 9. AMEND AS FOLLOWS:

THE ASSESSOR SHALL ALSO ENTER ON THE ROLL, BRACKETED WITH THE NAME OF THE OWNER OR TENANT, THE NAME OF THE HUSBAND, IF NOT THE OWNER, AS TENANT, AND THE WIFE OF SUCH OWNER OR TENANT WHO IS ENTITLED TO BE A MUNICIPAL ELECTOR UNDER THE PROVISIONS OF THE MUNICIPAL ACT.

s.s. (1) 10. NO CHANGE.

s.s. (1) 11. DELETE IF SECTION 24 DELETED.

s.s. (1) 12. 13. 14. & 15. NO CHANGE.

s.s. (2)

COLUMN 1. AMEND TO READ AS FOLLOWS:
"THE SUCCESSIVE NUMBER ON THE ROLL OF EACH PROPERTY."

COLUMN 2. 3. NO CHANGE.

COLUMN 4. AMEND.

IN 1962 THE PUBLIC & SEPARATE SCHOOL ACTS WERE AMENDED TO PROVIDE THAT ONLY CANADIAN CITIZENS CAN BE ELECTED AS TRUSTEES OF EITHER BOARD. AT PRESENT COLUMN 4 PROVIDES FOR THE DESIGNATION OF BRITISH SUBJECTS AND ALIENS ONLY. IT IS FELT THAT EITHER CANADIAN CITIZENS SHOULD ALSO BE DESIGNATED OR THAT IN THE ALTERNATIVE ONLY ALIENS BE SO DESIGNATED ON THE ROLL BY INSERTION OF THE LETTER "A".

COLUMN 5. IF SECTION 24 DELETED AMEND TO READ AS FOLLOWS:
STATEMENT WHETHER THE PERSON IS AN OWNER OR TENANT BY INSERTING OPPOSITE HIS NAME THE LETTER "O" OR "T", AS THE CASE MAY BE, AND IN THE CASE OF A PERSON WHO IS ENTITLED TO BE A MUNICIPAL ELECTOR BY REASON OF BEING THE WIFE OF THE PERSON RATED OR ENTITLED TO BE RATED FOR LAND AS PROVIDED BY THE MUNICIPAL ACT, THERE SHALL ALSO BE ENTERED THE LETTERS "M.F.N.C.", MEANING THAT SUCH PERSON IS ENTITLED TO VOTE AT MUNICIPAL ELECTIONS BUT IS NOT TO BE COUNTED FOR THE PURPOSE OF DETERMINING REPRESENTATION IN THE COUNTY COUNCIL.

COLUMNS 6. 7. 8. & 9. NO CHANGE.

COLUMN 10. AMEND AS FOLLOWS:
"VALUE OF THE LAND EXCLUSIVE OF THE BUILDINGS THEREON."

COLUMN 11. AMEND AS FOLLOWS:
"VALUE OF BUILDINGS."

COLUMN 12. AMEND AS FOLLOWS:
"TOTAL VALUE OF REAL PROPERTY."

*CONTINUED

SECTION 20 (CONTINUED)

COLUMN 13. AMEND AS FOLLOWS:
"TOTAL AMOUNT OF TAXABLE REAL PROPERTY."

COLUMN 14. AMEND AS FOLLOWS:
"TOTAL VALUE OF REAL PROPERTY IF LIABLE FOR SCHOOL RATES ONLY."

COLUMN 15. AMEND AS FOLLOWS:
"TOTAL VALUE OF REAL PROPERTY EXEMPT FROM TAXATION OR LIABLE FOR LOCAL IMPROVEMENTS ONLY."

COLUMNS 16. & 17. NO CHANGE.

COLUMN 18. AMEND AS FOLLOWS:
"AMOUNT OF BUSINESS ASSESSMENT."

COLUMN 19. AMEND AS FOLLOWS:
"TOTAL TAXABLE ASSESSMENT."

COLUMN 20. AMEND AS FOLLOWS:
"PUBLIC SCHOOL TAXABLE RESIDENTIAL, FARM, VACATION AND WASTE LAND (INCLUDING VALUE OF BOTH LAND AND BUILDINGS.)"

COLUMN 21. AMEND AS FOLLOWS:
"PUBLIC SCHOOL TAXABLE PROFESSIONAL, COMMERCIAL, MANUFACTURING AND INDUSTRIAL (INCLUDING VALUE OF BOTH LAND AND BUILDINGS)."

COLUMNS 22 & 23. SAME WORDING AS 20 & 21. WITH SEPARATE SCHOOL INSTEAD OF PUBLIC.

COLUMNS 24. & 25. DELETE.

COLUMNS 26. 27. & 28. NO CHANGE.

COLUMN 29. DELETE.

COLUMNS 30. & 31. NO CHANGE.

S.S. (3) (4) NO CHANGE.

S.S. (5) AMEND AS FOLLOWS:
THE FORM MAY BE VARIED TO FACILITATE THE USE OF MECHANICAL METHODS OF PREPARING THE ASSESSMENT ROLL, AND WITHOUT LIMITING THE GENERALITY OF THE FOREGOING, AND THE USE OF ABBREVIATIONS IS HEREWITH PERMITTED FOR EACH OF THE COLUMNS, SO LONG AS SUCH ABBREVIATIONS ARE SHOWN AT THE OUTSET OF THE ROLL BESIDE THEIR MEANING.

SECTIONS 21 & 22 & 23. NO CHANGE.

*CONTINUED

SECTION 24. DELETE.

SECTION 25. NO CHANGE.

SECTION 26. AMEND TO READ AS FOLLOWS:

THE ASSESSOR, WHERE THE ENTRY IN THE INDEX BOOK MENTIONED IN SECTION 25 DOES NOT SHOW A RATEPAYER TO BE A SUPPORTER OF SEPARATE SCHOOLS, SHALL ACCEPT THE WRITTEN STATEMENT OF THE RATEPAYER THAT HE IS A ROMAN CATHOLIC AND WISHES TO BE A SEPARATE SCHOOL SUPPORTER AS SUFFICIENT PRIMA FACIE EVIDENCE FOR PLACING SUCH PERSON IN THE PROPER COLUMN OF ASSESSMENT ROLL FOR SEPARATE SCHOOL SUPPORTERS.

SECTION 27. AMEND TO READ AS FOLLOWS:

(1) IN ADDITION TO ALL OTHER RIGHTS OF APPEAL, ANY PERSON WHO DOES NOT APPEAR ON THE ASSESSMENT ROLLS AS RETURNED TO THE CLERK OF THE MUNICIPALITY ON OR BEFORE OCTOBER 1ST, OR WHO IS NOT PROPERLY DESIGNATED AS A PUBLIC SCHOOL SUPPORTER OR AS A ROMAN CATHOLIC SEPARATE SCHOOL SUPPORTER MAY APPEAL TO THE COURT OF REVISION TO HAVE ANY SUCH OMISSION OR CORRECTION MADE. THE COURT OF REVISION SHALL HAVE THE SAME POWERS UNDER THIS SECTION TO AMEND THE ASSESSMENT ROLLS AS THOUGH THE ROLLS HAD BEEN RETURNED ON OCTOBER 1ST.

(2) NOTICE OF APPEAL MAY BE GIVEN AT ANY TIME ON OR BEFORE THE 14TH DAY OF OCTOBER OR THE LAST DAY FOR APPEALING TO THE COURT OF REVISION, WHICHEVER IS THE LATER AND THE PROVISIONS OF THIS ACT AS TO GIVING NOTICE OF HEARING AND PROCEEDINGS FOR THE TRIAL THEREOF SHALL APPLY.

(3) LIABILITY IN RESPECT OF PUBLIC AND SEPARATE SCHOOL SUPPORT SHALL BE DETERMINED IN ACCORDANCE WITH THE CIRCUMSTANCES EXISTING AS OF SEPTEMBER 30TH AND ON THE CLOSING DATE OF THE ROLL.

SECTION 28.

s.s. (1) NO CHANGE.

s.s. (2) AMEND TO READ AS FOLLOWS:

WHERE A RATEPAYER, WHO WAS IN THE NEXT PRECEDING YEAR ASSESSED AS A PUBLIC SCHOOL SUPPORTER, WISHES TO BE ASSESSED AS A SEPARATE SCHOOL SUPPORTER OR WHERE A RATEPAYER WHO WAS IN THE NEXT PRECEDING YEAR ASSESSED AS A SEPARATE SCHOOL SUPPORTER WISHES TO BE ASSESSED AS A PUBLIC SCHOOL SUPPORTER, EITHER OF SUCH RATEPAYER MUST GIVE TO THE ASSESSOR, WRITTEN NOTICE OF SUCH CHANGE.

*CONTINUED

SECTIONS 29, 30 & 31 No change.

SECTION 32

s.s. (1) Amend as follows:
Land occupied by the owner and unoccupied land shall be assessed against the owner.

s.s. (2) Delete. Included in s.s. (1).

s.s. (3) Amend as follows:
Land occupied by any person other than the owner shall be assessed against the owner, if known, and against the tenant.

s.s. (4) Delete. Included with s.s. (3).

s.s. (5) Amend as follows:
Where the name of the owner cannot be ascertained, the assessor shall insert the words "owner unknown" in the column of the assessment roll for the name of the owner opposite the description of the land.

s.s. (6) Amend as follows:
Where land is owned by more persons than one,

(a) if the land is occupied by any person other than the owners, it shall be assessed against the tenant and against such of the owners as are known, and

(b) if occupied by any of the owners or if unoccupied, it shall be assessed against all the owners who are known.

s.s. (7) Amend as follows:
Where land is assessed against the tenant under sub-section (3) or (6) the tenant, for the purpose of imposing and collecting taxes upon and from the land, shall be deemed the owner.

s.s. (8) No change.

SECTIONS 33 & 34 No change.

Comment Add new Section 34A as follows:
Move Section 245 to end of Section 34 and call same Section 34A.

SECTION 35

s.s. (1) The term "actual value" shall be defined or another term "value for assessment" should be enacted.

Actual value has been defined by the Supreme Court of Canada as being, "the amount a willing purchaser, not

*continued

SECTION 35 (CONTINUED)

FORCED TO BUY, WOULD PAY A WILLING SELLER, NOT FORCED TO SELL," ALSO, "MEANS EXCHANGEABLE VALUE, THE VALUE ACTUALLY OR THEORETICALLY ASCERTAINED BY THE TEST OF COMPETITION BETWEEN A FREE AND WILLING PURCHASER AND A LIKE VENDOR" - PER RAND, J. SUN LIFE V CITY OF MONTREAL (1950) S.C.R. P. 246.

ACTUAL VALUE THEN IS THE VALUE IN EXCHANGE AT THE DATE OR TIME THE ASSESSMENT IS MADE. AS THE VALUE OF THE DOLLAR CHANGES SO MUST THE ASSESSMENT CHANGE WHEN ASSESSMENTS ARE MADE AT ACTUAL VALUE.

IN ONTARIO THE ASSESSMENT ACT REQUIRES ASSESSMENTS TO BE MADE AT ACTUAL VALUE, THE PRACTICE, HOWEVER, HAS BEEN TO APPRAISE OR VALUE ALL PROPERTY FOR ASSESSMENT IN TERMS OF THE DOLLAR VALUE OF A YEAR OTHER THAN THAT YEAR IN WHICH THE ASSESSMENT IS MADE. IN MOST ASSESSMENT JURISDICTIONS IN ONTARIO THE VALUE YEAR HAS APPROXIMATED THE YEAR 1940. VALUATIONS FOR ASSESSMENT HAVE BEEN MADE IN TERMS OF THE VALUE OF THE DOLLAR FOR THE YEAR 1940. THUS IT IS FOUND IN A STUDY OF ASSESSMENT VALUES IN TERMS OF ACTUAL VALUES THE ASSESSMENT VALUES ARE ONLY ONE THIRD OF ACTUAL VALUES.

THE TERM ACTUAL VALUE HAS BEEN CONSIDERED BY MOST ASSESSORS IN ONTARIO TO BE "THE COMPARABLE VALUE FOR ASSESSMENT" COMPUTED IN TERMS OF A DEFINITE BASE YEAR IN WHICH THE DOLLAR VALUE IS REASONABLY STABLE.

THE BASE YEAR OF 1940 HAS SERVED ITS PURPOSE AND SHOULD BE ALTERED TO A MORE RECENT ONE TO MAKE ASSESSMENT VALUATIONS MORE REALISTIC WITH PRESENT DAY ACTUAL VALUES.

IT IS SUGGESTED THAT THE YEAR 1960 BE ENACTED AS THE BASE YEAR FOR VALUE OF THE DOLLAR FOR MAKING VALUATIONS FOR ASSESSMENT.

WE SUGGEST THE FOLLOWING DEFINITION FOR VALUE FOR ASSESSMENT PURPOSES, SUBJECT TO THE PROVISIONS OF THIS SECTION: "LAND SHALL BE ASSESSED AT A VALUE FOR ASSESSMENT, THIS VALUE TO BE AT A REALISTIC VALUE YEAR, AND MADE APPLICABLE IN ALL MUNICIPALITIES."

s.s. (2) THE TERM RENTAL VALUE SHOULD BE DEFINED.

s.s. (3) NEEDS CLARIFICATION, OR DELETE.

s.s. (3A) NO CHANGE, BUT DELETE IF SUBSECTION 3 IS DELETED.

s.s. (3B) THIS NEW SUBSECTION HAS PROVIDED THAT UPON APPEAL FARM LANDS ARE TO HAVE A CONTROLLED ASSESSMENT FOR TWO YEARS AFTER THE YEAR IN WHICH THE APPEAL WAS TAKEN. THIS IS UNFAIR TO OTHER TAXPAYERS EITHER ALL SHOULD

*CONTINUED

SECTION 35 (CONTINUED)

s.s. (3B) CONTINUED

HAVE SIMILAR CONTROLS OR THIS ONE SHOULD BE DELETED.

s.s. (4) AFTER THE WORDS "CIRCUMSTANCE AFFECTING THE VALUE", DELETE THE WORDS "AND THE VALUE OF THE BUILDINGS SHALL BE THE AMOUNT BY WHICH THE VALUE OF THE LAND IS THEREBY INCREASED." THESE WORDS ARE REDUNDANT TO THE SUBSECTION.

s.s. (5) TO (14) INCLUSIVE. NO CHANGE.

s.s. (15) (16) AND (17). DELETE.

SECTIONS 36, 37 & 38 NO CHANGE.

SECTION 39 DELETE.

SECTION 40

s.s. (1) ADD, IN LINE 1 AFTER THE WORD "BY", "SUBCLAUSE (IV) AND", SO THAT IT WILL READ, "THE PROPERTY BY SUBCLAUSE (IV) AND SUBCLAUSE (V) OF CLAUSE 1 OF SECTION 1 DECLARED TO BE LAND ..."

s.s. (3) DELETE - ASSESSOR HAS NO KNOWLEDGE OF ANOTHER MUNICIPALITIES ASSESSMENTS.

s.s. (6) NEW.
ON OR BEFORE THE 31ST DAY OF MARCH IN EVERY YEAR, PERSONS OR COMPANIES CARRYING ON BUSINESS UNDER THIS SECTION SHALL NOTIFY THE CLERK OR THE ASSESSMENT COMMISSIONER OF EACH LOCAL MUNICIPALITY OF ALL ASSESSABLE PROPERTY OWNED BY SUCH PERSON OR COMPANY WHICH IS LOCATED IN THE MUNICIPALITY, IN PARTICULAR THE LENGTH AND DIAMETER OF ALL PIPELINES, ALL VALVES, METERS, STOPS, REGULATORS, SERVICES, PRODUCING GAS WELLS AND OIL WELLS.

SECTION 41

s.s. (1) (c) (i) DELETE THE WORDS VALVES, REGULATORS, METERS.
(c) (v) AFTER THE WORD TERMINAL ADD THE WORDS "OR VALUES, REGULATORS, METERS, COMPRESSOR STATIONS."

s.s. (2) REPEAL AND RE-ENACT AS FOLLOWS:
TRANSMISSION PIPELINES ARE PIPELINES OWNED BY PERSONS OR COMPANIES WHOSE PRIMARY BUSINESS IS THE TRANSMISSION OF GAS OR OIL.

s.s. (5) REVISE RATES TO REALISTIC VALUES OR DELETE.

s.s. (6) REPEAL AND RE-ENACT AS FOLLOWS:
A PIPELINE SHALL BE ASSESSED FOR TAXATION AT THE

*CONTINUED

SECTION 41 (CONTINUED)

s.s. (6) CONTINUED

REVISED RATES SET FORTH IN SUBSECTION 5 AND SHALL BE DEPRECIATED AT THE RATE OF 2 PER CENT PER ANNUM OF THE ASSESSED VALUE OF THE PIPELINES WITH A MAXIMUM OF 50%.

s.s. (7) REPEAL AND RE-ENACT:
THE VALUATION FOR ASSESSMENT SHALL BE ADJUSTED SO THAT THE VALUE YEAR USED FOR PIPELINE RATINGS IS EQUALIZED WITH THE VALUE YEAR USED IN ASSESSING OTHER TYPES OF PROPERTY.

SECTION 42 NO CHANGE.

SECTION 43

s.s. (3) (4) AND (5)
REVISE SO IT IS STATED IN CLEAR TERMS THAT LAND, BUILDINGS AND BUSINESS ARE ASSESSABLE AND RATEABLE. IN EFFECT COMMISSIONS ARE DOING SO NOW BUT THE WORDING IS CONFUSING.

s.s. (7) (8) DELETE, AS UNNECESSARY WHEN (3) (4) (5) ARE REVISED.

SECTION 44 AMEND AS FOLLOWS:
ANY BRIDGE OR TUNNEL WHICH BELONGS TO OR IS IN THE POSSESSION OF ANY PERSON, BRIDGE OR OTHER AUTHORITY OR INCORPORATED COMPANY, AND WHICH CROSSES ANY RIVER OR OTHER BODY OF WATER FORMING THE BOUNDARY BETWEEN ONTARIO AND ANY OTHER COUNTRY OR PROVINCE, THE PART OF SUCH STRUCTURE WITHIN ONTARIO SHALL BE VALUED AS AN INTEGRAL PART OF THE WHOLE AND ON THE BASIS OF THE VALUATION OF THE WHOLE, AND SHALL BE ASSESSED AT ITS ACTUAL VALUE IN ACCORDANCE WITH SECTION 35.

SECTION 45 AMEND AS FOLLOWS:
ANY BRIDGE OR TUNNEL WHICH BELONGS TO OR IS IN THE POSSESSION OF ANY PERSON, BRIDGE OR OTHER AUTHORITY, OR COMPANY BETWEEN TWO MUNICIPALITIES IN THE PROVINCE SHALL BE VALUED AS AN INTEGRAL PART OF THE WHOLE AND ON THE BASIS OF THE VALUATION OF THE WHOLE, AND SHALL BE ASSESSED AT ITS ACTUAL VALUE IN ACCORDANCE WITH SECTION 35.

SECTION 46

s.s. (1) AMEND AS FOLLOWS:
EVERY RAILWAY COMPANY OTHER THAN THOSE DEFINED AS PUBLIC UTILITIES IN THE DEPARTMENT OF MUNICIPAL AFFAIRS ACT SHALL TRANSMIT ANNUALLY ON OR BEFORE THE 1ST DAY OF FEBRUARY TO THE ASSESSMENT COMMISSIONER, ASSESSOR, OR IF NONE, TO THE CLERK OF THE MUNICIPALITY IN WHICH ANY PART OF THE ROADWAY OR OTHER REAL PROPERTY OF THE COMPANY IS SITUATE, A STATEMENT SHOWING.

*CONTINUED

SECTION 46 (CONTINUED)

s.s. (1)

COMMENT STEAM RAILWAYS AS SUCH ARE PRACTICALLY NON-EXISTANT.

s.s. (1) (A) (B) (C) (D) NO CHANGE.

s.s. (2) (A) (B) NO CHANGE.

s.s. (2) (C) AMEND AS FOLLOWS:

STATIONS, FREIGHT SHEDS, OFFICES, WAREHOUSES, ELEVATORS, HOTELS, ROUND-HOUSES, EXPRESS BUILDINGS, RAILWAY, Y.M.C.A. BUILDINGS, BUNKHOUSES, ICE-HOUSES, DIESEL OIL STORAGE TANKS, COAL SHEDS, MACHINE, REPAIR AND OTHER SHOPS SHALL BE ASSESSED IN THE MANNER PROVIDED IN SECTION 35 SUBSECTION (4).

s.s. (2) (D) NO CHANGE.

s.s. (3) AMEND AS FOLLOWS:
NOTWITHSTANDING ANYTHING IN THIS ACT, THE STRUCTURES, SUB-STRUCTURES, SUPERSTRUCTURES, RAILS, TIES, POLES, WIRES AND OTHER PROPERTY ON RAILWAY LANDS AND USED EXCLUSIVELY FOR RAILWAY PURPOSES OR INCIDENTAL THERETO (EXCEPT THOSE STRUCTURES LISTED IN SUBSECTION (2) (C) SHALL NOT BE ASSESSED.

s.s. (4) AMEND AS FOLLOWS:
THE ASSESSOR SHALL DELIVER AT, OR TRANSMIT BY POST TO THE HEAD OFFICE OF THE COMPANY A NOTICE, OF THE TOTAL AMOUNT AT WHICH HE HAS ASSESSED THE SAID LAND AND PROPERTY OF THE COMPANY IN HIS MUNICIPALITY OR WARD SHOWING THE AMOUNT FOR EACH DESCRIPTION OF PROPERTY MENTIONED IN THE ABOVE STATEMENT OF THE COMPANY, AND THE STATEMENT AND NOTICE RESPECTIVELY SHALL BE HELD TO BE THE ASSESSMENT RETURN AND NOTICE OF ASSESSMENT REQUIRED BY SECTIONS 17 AND 48.

s.s. (5) NO CHANGE.

SECTION 47 DELETE.

SECTION 48

s.s. (1) AMEND AS FOLLOWS:
ADD AFTER WORD "DELIVERY" IN LAST LINE "AND WHERE THE ASSESSMENT NOTICE IS NOT PREPARED BY MECHANICAL MEANS IT SHALL BE WRITTEN IN INK."

s.s. (2) (3) (4) NO CHANGE.

SECTIONS 49 & 50 NO CHANGE.

SECTION 51 AMEND AS FOLLOWS:

*CONTINUED

SECTION 51 (CONTINUED)

IT SHALL BE THE DUTY OF THE CLERK TO REPORT TO THE COURT OF REVISION THE FACTS AND PARTICULARS AS TO ANY ERRORS OR OMISSIONS IN THE ASSESSMENT ROLL OF WHICH HE, OR ANY OTHER MUNICIPAL OFFICIAL MAY FROM TIME TO TIME BECOME AWARE, AND THE COURT OF REVISION SHALL THEREUPON TAKE SUCH STEPS AS THE COURT SHALL DEEM ADVISABLE AND NECESSARY TO CAUSE SUCH CORRECTIONS TO BE MADE IN THE ROLL, AND SHALL GIVE SUCH NOTICE TO PERSONS INTERESTED AS SUCH CORRECTIONS MAY RENDER NECESSARY.

SECTION 52 NO CHANGE.

SECTION 53

s.s. (1) AMEND AS FOLLOWS:
AFTER THE FIRST DAY OF JANUARY AND BEFORE THE TWENTY-EIGHT DAY OF NOVEMBER THE ASSESSOR SHALL PREPARE AND CERTIFY A SUPPLEMENTARY ASSESSMENT ROLL AND THE CLERK OF THE MUNICIPALITY SHALL ENTER IN THE COLLECTOR'S ROLL,

s.s. (1) (A) ADD AFTER "BUILDINGS" OR LAND AS DEFINED IN SECTION 1, SUBSECTION (1) (1) (IV) & (V).

s.s. (1) (B) (C) NO CHANGE.

s.s. (2) (3) (4) (5) (6) NO CHANGE.

SECTION 54

s.s. (1) AMEND AS FOLLOWS:
AFTER THE RETURN OF THE ASSESSMENT ROLL AND ON OR BEFORE THE 31ST DAY OF DECEMBER IN ANY YEAR THE ASSESSOR SHALL PREPARE AND CERTIFY A SUPPLEMENTARY ASSESSMENT ROLL TO BE RETURNED TO THE CLERK OF THE MUNICIPALITY WHICH CONTAINS,

s.s. (1) (A) ADD AFTER "BUILDINGS" OR LAND AS DEFINED IN SECTION 1 SUBSECTION (1) (1) (IV) & (V).

s.s. (1) (A) (B) (C) AMEND AS FOLLOWS BY REMOVING WORDS "AS CERTIFIED BY ASSESSOR." NOT NECESSARY IF S.S. (1) IS AMENDED.

s.s. (2) (3) (4) NO CHANGE.

SECTIONS 55, 56, 57 & 58 NO CHANGE.

SECTION 59

s.s. (1) AMEND AS FOLLOWS:
ADD AFTER "ROLL" IN THE FIRST LINE THE WORDS "OR A SUPPLEMENTARY ASSESSMENT ROLL."

SECTIONS 60, 61 & 62 DELETE

SECTION 63

s.s. (1) AMEND AS FOLLOWS:
DELETE IN THE FIRST LINE AFTER THE WORD CITY "HAVING A POPULATION OF NOT LESS THAN 200,000 IN LIEU OF A COURT OF REVISION BEING CONSTITUTED AS PROVIDED IN SECTION 62."

s.s. (2) NO CHANGE.

s.s. (3) AMEND AS FOLLOWS:
DELETE IN THE FIRST LINE AFTER THE WORD IS "OR DURING THE PRECEDING YEAR WAS."

s.s. (4) (5) NO CHANGE.

s.s. (6) AMEND AS FOLLOWS:
DELETE IN THE SECOND LINE AFTER THE WORD REPEALED "AND WHILE IT IS IN FORCE NO COURT OF REVISION SHALL BE CONSTITUTED OR CONTINUE IN EXISTENCE UNDER SECTION 62."

SECTION 64

s.s. (1) AMEND AS FOLLOWS:
IN MUNICIPALITIES OTHER THAN CITIES THE COURT OF REVISION SHALL CONSIST OF THREE OR FIVE MEMBERS APPOINTED BY THE COUNCIL OF THE MUNICIPALITY AND SUCH MEMBERS MAY BE PAID SUCH REMUNERATION AND EXPENSES AS THE COUNCIL MAY BY BY-LAW PROVIDE.

s.s. (2) AMEND AS FOLLOWS:
EVERY SUCH MEMBER SHALL BE A PERSON ELIGIBLE TO BE ELECTED A MEMBER OF THE COUNCIL, BUT NO PERSON WHO IS A MEMBER OF THE COUNCIL OR AN OFFICER OR EMPLOYEE OF THE MUNICIPALITY MAY BE APPOINTED OR HOLD OFFICE AS A MEMBER OF A COURT OF REVISION.

s.s. (3) AMEND AS FOLLOWS:
A MAJORITY OF THE COURT OF REVISION SHALL BE A QUORUM AND A MAJORITY OF A QUORUM MAY DECIDE ALL QUESTIONS BEFORE THE COURT, BUT NO MEMBER SHALL ACT WHEN AN APPEAL IS BEING HEARD RESPECTING ANY PROPERTY IN WHICH HE IS DIRECTLY OR INDIRECTLY INTERESTED.

SECTION 65

s.s. (1) NO CHANGE.

s.s. (2) AMEND AS FOLLOWS:
SUCH COURT OF REVISION SHALL CONSIST OF THREE OR FIVE MEMBERS TO BE APPOINTED BY THE COUNCIL OF THE COUNTY AND SUCH MEMBERS SHALL HOLD OFFICE DURING PLEASURE

*CONTINUED

SECTION 65 (CONTINUED)

s.s. (2) CONTINUED

OF THE SAID COUNCIL AND SHALL BE PAID SUCH REMUNERATION AND EXPENSES AS THE SAID COUNCIL MAY BY BY-LAW PROVIDE.

s.s. (3) (4) No change.

SECTION 65A No change but suggest Section 64 could be applicable to Counties.

SECTION 65B No change.

SECTIONS 66, 67, 68, 69, & 70 No change.

SECTION 71 Amend as follows:
Any person summoned to attend the court of revision or before a county judge under the provisions of this Act as a witness who fails without good and sufficient reason, to attend, having first been tendered compensation for his time at the existing witness fees and his proper travelling expenses if he resides more than three miles from the place of trial, or who having attended, or being present in court, refuses to be sworn, if required to give evidence, shall be guilty of an offence and liable to a penalty of not more than $25.

SECTIONS 72, 73, & 74. No change.

SECTION 75

s.s. (1) (2) (3) (4) No change.

s.s. (5) Amend as follows:
Add after words "all persons appealed against" in the second line, "and to the assessment commissioner or, if none, to the assessor, and to the county assessor, in any appeal which lies within his jurisdiction."

s.s. (6) No change.

s.s. (7) Amend as follows:
Add after "municipality" in the first line "or some person or persons designated by him."

s.s. (8) to (13) inclusive. No change.

SECTIONS 76 to 93c inclusive. No change.

SECTION 94

s.s. (1) & (4) No change.

SECTION 95 No change.

SECTION 96

s.s. (1) Amend as follows:
The municipality so dissatisfied may appeal from the decision of the council at any time within twenty days after passing of such by-law, by giving to the clerk of the county council notice in writing.

s.s. (2) Delete.

s.s. (3) Delete words "in case any party to the appeal has objected to the final equalization of the assessment being made by the county judge."

s.s. (4) No change.

s.s. (5) Delete.

s.s. (6) No change.

s.s. (7) Amend as follows:
The persons appointed to form a court shall be paid such remuneration and travelling and other expenses as the Lieutenant Governor in Council may determine to be borne and paid as directed by the Court.

s.s. (8) Amend as follows:
The fees of the stenographic reporter, if any, and any other expenses incidental to the hearing of the appeal shall be borne and paid as directed by the court.

s.s. (9) No change.

s.s. (10) (11) (12) Delete.

s.s. (13) Delete in last line the words "or judge as herein provided."

s.s. (14) Delete in the third line the words "the county judge or".

s.s. (15) Amend as follows:
An appeal lies to the Court of Appeal from any report made by a court constituted under paragraph 4 on any question of law or the construction of a statute and if the judgment of the Court of Appeal reversed or varies the report of such court, such judgment or report shall be varied so as to conform to the judgment of the Court of Appeal.

s.s. (16) No change.

SECTIONS 97 TO 109 INCLUSIVE. NO CHANGE.

SECTION 110

s.s. (1) NO CHANGE.

s.s. (1A) NEW.
WHERE THE COLLECTOR'S ROLL IS NOT PREPARED BY MECHANICAL MEANS IT SHALL BE WRITTEN IN INK.

s.s. (2) (3) (4) (5) (6) NO CHANGE.

SECTIONS 111 TO 114 NO CHANGE.

SECTION 115

s.s. (1) AMEND TO READ AS FOLLOWS:
ADD AFTER THE WORD "TAXES" IN THE LAST LINE THE WORDS "AND WHERE THE TAX NOTICE IS NOT PREPARED BY MECHANICAL MEANS IT SHALL BE WRITTEN IN INK."

s.s. (2) (3) NO CHANGE.

SECTIONS 116, 117 & 118 NO CHANGE.

SECTION 119 AMEND TO READ AS FOLLOWS:
DELETE IN THE SECOND LINE THE WORDS "25 CENTS" AND INSERT THE WORDS "ONE DOLLAR".

SECTION 120 TO 130 NO CHANGE.

SECTION 131

s.s. (1) (D) AMEND TO READ AS FOLLOWS:
IN RESPECT OF A BUILDING WHICH WAS RAZED OR STRUCTURALLY DAMAGED BY FIRE, OR RAZED BY DEMOLITION OR OTHERWISE DURING THE YEAR; OR

s.s. (2) TO (12) INCLUSIVE. NO CHANGE.

s.s. (13) (I) ADD NEW CLAUSE (I).
"A BUILDING OR PART OF A BUILDING WHICH HAS BEEN BUILT SOLELY FOR THE PURPOSE OF SALE OR RENT, UNLESS SUCH BUILDING HAS BEEN VACANT FOR A PERIOD OF NOT LESS THAN TWELVE MONTHS."

s.s. (14) NO CHANGE.

MOVE SECTION 244 TO END OF SECTION 131 AS s.s. (15) AND AMEND TO READ:

"NOTWITHSTANDING THE PROVISIONS OF SECTION 131 (2) (3) (5) WHERE A TREASURER AND AN AUDITOR ASCERTAIN THAT CERTAIN TAXES ARE UNCOLLECTABLE THEY SHALL

*CONTINUED

SECTION 131 (CONTINUED)

RECOMMEND TO THE COURT OF REVISION THAT SUCH OUTSTANDING TAXES BE STRUCK OFF THE COLLECTOR'S ROLL, AND THE COURT OF REVISION MAY DIRECT THE TREASURER TO STRIKE SUCH TAXES FROM THE ROLL."

SECTIONS 132 TO 215 INCLUSIVE. NO CHANGE.

SECTION 216

s.s. (1) NO CHANGE.

s.s. (2) AMEND AS FOLLOWS:
THIS SECTION SHALL NOT PREVENT DISCLOSURE OF SUCH INFORMATION BY ANY PERSON WHEN BEING EXAMINED AS A WITNESS FOR THE DEFENCE ONLY, IN AN ASSESSMENT APPEAL OR IN AN ACTION OR OTHER PROCEEDING IN A COURT OR IN AN ARBITRATION, BUT THIS INFORMATION SHALL NOT BE DISCLOSED UNTIL THE APPELLANT HAS PRESENTED HIS CASE.

SECTIONS 217 TO 243 INCLUSIVE. NO CHANGE.

SECTION 244 DELETE. REWORD AND ADD AT END OF SECTION 131 MAKING SAME S.S. (15) OF SECTION 131.

SECTION 245 DELETE AND ADD AFTER END OF SECTION 34 MAKING SAME 34A.

SECTION 246 NO CHANGE.

FORM 3 AFFIDAVIT -- DELETE PRESENT CLAUSE 4 AND SUBSTITUTE THE FOLLOWING:

I HAVE DELIVERED OR CAUSED TO BE DELIVERED ALL ASSESSMENT NOTICES RELATIVE TO ANY ASSESSMENTS IN THIS ASSESSMENT ROLL IN ACCORDANCE WITH THE PROVISIONS OF THE ASSESSMENT ACT.

N. B. THE ASSESSMENT ACT SHOULD BE SET UP IN TWO PARTS -

PART 1 - PERTAINING TO ASSESSMENT.

PART 2 - PERTAINING TO TAXATION.

MUNICIPAL ACT

CHAPTER 249 R. S. O. 1960

SECTION 225 & 239

AT PRESENT SECTION 225 PROVIDES FOR THE APPOINTMENT OF ASSESSORS BY BY-LAW WHICH REMAINS IN EFFECT UNTIL REPEALED. SECTION 239 PROVIDES THAT THE ASSESSOR AND OTHER OFFICIALS SHALL HOLD OFFICE DURING THE PLEASURE OF COUNCIL.

YOUNG MEN INVESTIGATING ASSESSMENT AS A CAREER ARE RELUCTANT TO ENTER THEREUPON WHEN THEY FACE THE CONDITION OF DISMISSAL WITHOUT CAUSE OR REASON.

IT IS SUGGESTED THAT SECTION 239 BE AMENDED TO PROVIDE THAT A COUNCIL OF A MUNICIPALITY SHALL NOT DISMISS AN ASSESSOR OR OTHER OFFICIAL WITHOUT JUST CAUSE BEING SHOWN AS TO HIS INCOMPETENCE TO PERFORM HIS DUTIES, LACK OF PERSONAL INTEGRITY, OR BY REASON OF HIS UNSEEMLY MORAL CONDUCT.